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LOCAL ACTS
OF
THE LEGISLATURE
109367
OF THE
STATE OF MICHIGAN

PASSED AT THE
REGULAR SESSION OF 1901

WITH AN APPENDIX



BY AUTHORITY

1901
WYNKOOP HALLENBECK CRAWFORD CO. OF LANSING, MICH.
STATE PRINTERS

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NOTE.—The words and sentences enclosed in brackets in the following acts w
as passed by the Legislature, but not in the enrolled copies as approved by the

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445.	An act to amend sections two and three of act number four hundred of the local acts of the State of Michigan for the year eighteen hundred ninety-nine, entitled "An act to provide for the payment of a salary to certain township officers in the township of Springwells in the county of Wayne, and to fix the salaries thereof." Approved May 23, 1901.....	595
446.	An act to authorize the city of Grand Haven, in Ottawa county, to assess and collect the tax on the toll bridge across Grand river in said city for the year nineteen hundred one. Approved May 27, 1901.....	596
447.	An act to provide for the organization of the township of Sheridan in the county of Mason, into a single school district. Approved May 27, 1901.....	597
448.	An act to provide for the organization of the township of Hamlin, in the county of Mason, into a single school district. Approved May 27, 1901.....	602
449.	An act to provide for the election of the county auditors for the county of Wayne and to fix their term of office. Approved May 27, 1901.....	607
450.	An act to amend section one of chapter two, section three of chapter three, and sections two, six and thirty-five of chapter seventeen of act number three hundred ninety of the local acts of eighteen hundred eighty-five, and the amendments thereto, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeen, eighteen hundred eighty-five. Approved May 28, 1901	607
451.	An act to amend section five of act number three hundred seventy-nine of the local acts of eighteen hundred ninety-one, entitled "An act to provide for the compensation and to prescribe the duties of certain officers of the county of Kent." Approved May 28, 1901.....	611
452.	An act to amend chapter two by adding two new sections thereto; to amend section four of chapter thirteen; to amend	

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	section twelve of chapter twenty; and to amend section one of chapter thirty, of act number four hundred thirty of the local acts of eighteen hundred ninety-nine, entitled "An act to amend and revise the charter of the city of Battle Creek," approved June first, eighteen hundred ninety-nine. Approved May 28, 1901.....	612
453.	An act to amend section ten of title three of act number three hundred seventy-four of the local acts of eighteen hundred ninety-seven, entitled "An act to revise the charter of the city of Grand Rapids," by adding a new subdivision thereto to be known as subdivision fifty-eight. Approved May 28, 1901	616
454.	An act to organize the township of Mitchell, in the county of Alcona, into a union school district to be known as the union school district of the township of Mitchell. Approved May 29, 1901.....	627
455.	An act to amend sections one and two of act number three hundred eleven of the local acts of eighteen hundred ninety-five, entitled "An act to incorporate the city of Petoskey, and to repeal all acts and parts of acts relative to the incorporation of the village of Petoskey." Approved May 29, 1901	629
456.	An act to amend section two of an act, entitled "An act to authorize the common council of the city of Alpena to construct or purchase, own and maintain a system of electric light works, and to provide means for constructing or purchasing, maintaining and managing the same," approved May twenty-fifth, eighteen hundred ninety-nine. Approved May 29, 1901	630
457.	An act to reincorporate the city of Clare, in the county of Clare, under the provisions of chapter eighty-eight of the compiled laws of Michigan of eighteen hundred ninety-seven, being an act, entitled "An act to provide for the incorporation of cities of the fourth class," and to repeal act two hundred ten of the local acts of eighteen hundred ninety-one, entitled "An act to incorporate the city of Clare, in the county of Clare, and to repeal act number four hundred four of the local acts of eighteen hundred seventy-nine, entitled 'An act to incorporate the village of Clare, in the county of Clare,' and all other acts relating to said village of Clare," and all amendments thereto. Approved May 29, 1901.....	631
458.	An act to amend sections three, six and ten, of chapter twenty-one, and section twelve of chapter twenty-six, of act number four hundred thirty-four of the local acts of Michigan for the year eighteen hundred and ninety-five, approved May twenty-fourth, eighteen hundred ninety-five, entitled "An act to incorporate the city of Three Rivers, and to repeal act number one hundred sixty-one of the session laws of eighteen hundred fifty-five, entitled 'An act to incorporate the village	

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	of Three Rivers,' approved February thirteenth, eighteen hundred fifty-five, and all amendments thereto." Approved May 31, 1901.....	632
459.	An act to detach certain territory from school district number one and school district number five, in the township of Marathon, in the county of Lapeer, in this State, and attach the same to school district number eight, in said township of Marathon. Approved May 31, 1901.....	634
460.	An act to authorize the county of Houghton to construct or purchase, own and maintain one or more hospitals, pest-houses or quarantine buildings, and to provide the means for constructing or purchasing, maintaining and managing the same; and to legalize the action of the board of supervisors of the county of Houghton in constructing a building for the use of a hospital and pest-house. Approved May 31, 1901	634
461.	An act to amend act number forty-eight of the local acts of eighteen hundred and eighty-two, entitled "An act to reincorporate the city of Manistee," approved March fifteenth, eighteen hundred and eighty-two, by adding two new chapters thereto to stand as chapters thirty-one and thirty-two, and repealing all parts of said act inconsistent therewith. Approved May 31, 1901.....	635
462.	An act to amend section fifteen of chapter nineteen of an act entitled "An act supplemental to the charter of the city of Detroit, and relating to parks and boulevards, and other public grounds, in said city, and to repeal act number three hundred seventy-four of the local acts of eighteen hundred seventy-nine, entitled 'An act to provide for the establishment and maintenance of a broad street or boulevard, about the limits of the city of Detroit, and through portions of the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne,'" approved May twenty-one, eighteen hundred seventy-nine. Approved June 3, 1901.....	645
463.	An act to amend section one of act number one hundred fifty-three of the session laws of eighteen hundred sixty-one, being an act, entitled "An act to incorporate the public schools of the city of Adrian," as amended by act number three hundred forty-one of the session laws of eighteen hundred sixty-nine, approved March twenty-four, eighteen hundred sixty-nine, and as further amended by act number four hundred thirty-nine of the local acts of eighteen hundred ninety-seven. Approved June 3, 1901.....	647
464.	An act to revise and amend act number four hundred twenty-six of the local acts of eighteen hundred sixty-nine, approved April third, eighteen hundred sixty-nine, entitled "An act to revise an act, entitled 'An act to incorporate the board of education of the city of East Saginaw,' and the several acts amendatory thereto, and to repeal all acts and parts of acts in conflict with this act." Approved June 6, 1901.....	648

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465.	An act to authorize and empower the county of Ontonagon to purchase or to make, have made and maintain a system of abstracts of title of all lands in said county; to make and sell abstracts of title and furnish information concerning the condition of titles and charge such fees therefor as the board of supervisors of said county shall from time to time determine; to employ some person to keep and maintain such system of abstracts, and to do all things necessary for the carrying on of a general abstract business of titles to lands in Ontonagon county. Approved June 6, 1901....	650
466.	An act to amend sections thirty-five, forty-three, fifty, sixty-seven, seventy-six, one hundred thirty-five, one hundred fifty-two, one hundred ninety-eight and two hundred thirteen of, and to repeal section one hundred forty-two as amended by an act approved May twenty-third, nineteen hundred one, and to add three new sections to be known as sections seven-a, forty-four and forty-five to act number four hundred forty-eight of the local acts of eighteen hundred ninety-seven, entitled as follows: "An act to revise and amend act number three hundred forty-six of the local acts of eighteen hundred eighty-one, entitled 'An act to revise an act to incorporate the city of Bay City,' approved March thirtieth, eighteen hundred eighty-one, as amended and revised by the several acts amendatory and revisionary thereof." Approved June 6, 1901.	652
467.	An act to amend sections one and five of act number three hundred seventy-two of the local acts of eighteen hundred ninety-three, entitled "An act to provide for placing on the retired list on reduced pay members of the Metropolitan police force of the city of Detroit, who shall have become disabled or incapacitated while in active performance of official duty, and members of said force and persons in the employ of the police board of the city of Detroit who after twenty-five years of faithful continuous service shall have become permanently incapacitated from performing regular or active duty," as amended by act number four hundred forty of the local acts of eighteen hundred ninety-five, approved May twenty-fourth, eighteen hundred ninety-five. Approved June 6, 1901.....	660
468.	An act to repeal section four of chapter three and to amend section three of chapter one; section three of chapter two; sections one, three, seven, eleven and eighteen of chapter three; sections seven, eight, thirteen, twenty-two, twenty-three, twenty-four, twenty-seven, twenty-eight, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty and forty-two of chapter five; sections seven and eighteen of chapter six; section one of chapter seven; subsection seven of section one of chapter nine; section eight of chapter ten; sections seven and eight of chapter twelve; sections four and five of chapter nineteen; section four of chapter twenty; sections two, three, four,	

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	seven, eight and nine of chapter twenty-one, and sections six, eleven, twelve and eighteen of chapter twenty-three of an act entitled "An act to incorporate the city of Sault Ste. Marie and to repeal an act entitled 'An act to reincorporate the village of Sault Ste. Marie,' approved May the twenty-ninth, eighteen hundred and seventy-nine, as amended." being act number five hundred and thirty-three of the local acts of eighteen hundred and eighty-seven, approved June the twenty-first, eighteen hundred and eighty-seven, as amended by the several acts amendatory thereof. Approved June 6, 1901	662
469.	An act to amend section eight of title three, section sixteen of title six and section one of title fourteen of act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, entitled "An act to revise and amend the charter of the city of Saginaw as existing under an act entitled 'An act to annex the territory embraced within the city of East Saginaw to that of the city of Saginaw, and to consolidate the city of East Saginaw with Saginaw, under the name of the city of Saginaw; to specify and fix the boundaries of the consolidated city; to provide for the assuming and payment of the indebtedness and liabilities of the present cities of East Saginaw and Saginaw, and for the ownership of all their corporate property and rights; to define the corporate rights, powers and privileges of said city of Saginaw as so consolidated, and to repeal all acts inconsistent herewith,' and acts supplementary and amendatory thereof, and to repeal all acts and parts of acts inconsistent herewith. Approved June 6, 1901.....	685
470.	An act to provide for the holding of primaries in the county of Kent, and to punish frauds thereat, and by delegates elected thereat, and the corruption and attempted corruption of such delegates. Approved June 6, 1901.....	692
471.	An act providing for the selection of candidates for elections by popular vote and relating to primary elections in the city of Grand Rapids. Approved June 6, 1901.....	701
472.	An act to amend sections fifty-seven and sixty-one of chapter seven; sections six, seven, eight, nine, ten, twelve and thirteen of chapter ten; sections one, forty-two and forty-three of chapter eleven; and section eleven of chapter fifteen of the session laws of eighteen hundred eighty-three, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June seven, eighteen hundred eighty-three, and to repeal sections fifty-eight and sixty-three of chapter seven, and section eighteen of chapter twenty thereof. Approved June 6, 1901.....	708
473.	An act to amend the charter of the city of Grand Rapids. Approved June 6, 1901.....	719

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474.	An act to amend section one of chapter eight and sections five and seven of chapter eleven of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June seventh, eighteen hundred eighty-three. Approved June 6, 1901	720,
475.	An act to amend section one hundred thirty-nine of an act to provide a charter for the city of Detroit, such section being section fifty-one of chapter seven of said act, and to repeal all acts and parts of acts in conflict herewith. Approved June 6, 1901.....	725
476.	An act to amend sections four, eight, nine and twenty-three of an act entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water," approved February fourteenth, eighteen hundred fifty-three, as amended by the various acts amendatory thereof. Approved June 6, 1901.....	725
477.	An act to prescribe the method for the levy of school taxes in the school district now composed of the city of Crystal Falls and the township of Crystal Falls. Approved June 6, 1901	728
478.	An act to detach certain territory from school district number two of the township of Marion in the county of Osceola, and to attach the same to school district number six in said township. Approved June 6, 1901.....	729
479.	An act to authorize the township of Blissfield, in the county of Lenawee, to borrow money to pay for building stone abutments to the bridge over the river Raisin in said township. Approved June 6, 1901.....	729
480.	An act to authorize the city of Detroit to construct and maintain an additional bridge or bridges over the American channel of the Detroit river. Approved June 6, 1901.....	730
481.	An act to organize the township of Millen, in the county of Alcona, State of Michigan, into a union school district. Approved June 6, 1901.....	731
482.	An act to revise and amend the charter of the city of Saginaw, as revised and amended by act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, approved June second, eighteen hundred ninety-seven, as further revised and amended by act number four hundred thirty-one of the local acts of eighteen hundred ninety-nine approved June first, eighteen hundred ninety-nine, and acts amendatory thereof, and to repeal all acts and parts of acts in conflict with this act. Approved June 6, 1901.....	733
483.	An act to amend section thirty-five of chapter seventeen, section one of chapter twenty-one of act number three hundred ninety of the local acts of eighteen hundred eighty-five, entitled "An act to amend and revise the charter of the city of	

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484.	An act to amend section one of an act entitled "An act to provide for the compensation and prescribe the duties of certain officers of the county of Saginaw," of the local acts of nineteen hundred and one, approved May ninth, nineteen hundred and one. Approved June 6, 1901.....	742
485.	An act to amend section twelve of title four of the charter of the city of Saginaw, being act number four hundred sixty-five of local acts of eighteen hundred ninety-seven, approved June second, eighteen hundred ninety-seven, as amended by act number four hundred thirty-one of local acts of eighteen hundred ninety-nine, approved June first, eighteen hundred ninety-nine, and acts amendatory thereof, and to repeal all acts and parts of acts in conflict with this act. Approved June 8, 1901.....	742
486.	An act to authorize the sale of lands located within the limits of the city of Bay City and returned as delinquent for the taxes of the year eighteen hundred ninety-seven and any prior years, at less than the total of taxes, interest and other charges against such lands, and to authorize the city to bid in any such lands at the annual tax sale of nineteen hundred two and to compromise with parties in interest as to reassessed taxes for such years. Approved June 11, 1901..	743

LOCAL ACTS 1901.

[No. 243.]

AN ACT to authorize the township board of the township of Charlevoix, in the county of Charlevoix, to issue the bonds of said township to the amount of twenty thousand dollars for the purpose of building a new bridge across Pine river, and to levy taxes sufficient to provide for the payment of the same and the interest thereon.

The People of the State of Michigan enact:

SECTION 1. That the township board of the township of Charlevoix, in the county of Charlevoix, is hereby authorized to issue the negotiable coupon bonds of said township to the amount of twenty thousand dollars, for the purpose of providing funds for the construction of a new swing or draw bridge across Pine river in said township. Said bonds shall be designated as "Pine river bridge bonds;" shall become due and payable not later than twenty years from their date; shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and shall be in such form and of such denomination, and executed in such manner, as said township board may, by resolution, direct, and when issued and delivered for value, shall be valid and binding obligations of said township.

May issue
bonds,
amount of.

How
designated.

Interest,
rate of.

SEC. 2. That when said bonds are issued, the township board of said township shall thereafter annually levy a direct tax, in addition to all other township taxes, on all of the taxable property in said township, sufficient in amount to meet the interest on said bonds promptly as the same matures, and also to establish and maintain a sinking fund which shall be sufficient to liquidate the principal of said bonds at their maturity. Said annual tax shall be collected at the same time and in the same manner in each year as other township taxes are collected.

Tax, levy for
payment of.

This act is ordered to take immediate effect.

Approved January 4, 1901.

[No. 244.]

AN ACT authorizing the board of trustees of the public schools of the village of Addison, an incorporated school district, to call a meeting of the qualified electors of said school district for the purpose of selecting and changing sites and building school houses for said district.

The People of the State of Michigan enact:

To call special
meeting,
purpose of.

SECTION 1. That the board of trustees of the public schools of the village of Addison, a school district incorporated by act number two hundred seventy of the local acts of eighteen hundred ninety-three, is hereby authorized to call a special meeting of the qualified electors of said district, at any time from and after ninety days from the passage of this act, for the purpose of submitting to the voters of said district the question of selecting and changing sites for, and constructing school houses for the use of said district.(a)

May select
and change
site, etc.

SEC. 2. Such meeting of the qualified electors duly called shall have the right to select and change sites of school houses for said district and to vote money for sites and for the construction of new school buildings, in the same manner and with the same effect as if the same were the regular annual meeting of said district.

This act is ordered to take immediate effect.

Approved January 12, 1901.

[No. 245.]

AN ACT to legalize the floating indebtedness of the city of Petoskey, to the amount of ten thousand dollars, heretofore incurred in the construction of a city electric lighting plant, and to authorize the council of said city to issue the bonds of said city for the purpose of funding and paying off said indebtedness.

The People of the State of Michigan enact:

Indebtedness
legalized.

SECTION 1. That the floating indebtedness heretofore incurred by the city of Petoskey, in Emmet county, in and about the construction of an electric lighting plant in and for said city, to the amount of ten thousand dollars, be and the same is hereby legalized and declared to be a binding indebtedness upon said city, and the council of said city, in accordance with more than a two-thirds vote of the electors of said city

(a) Section 1 amended by Act No. 256. See page 10.

voting at a special election held therein on May seventh, A. D. nineteen hundred, is hereby authorized to issue the negotiable coupon bonds of said city to the amount of ten thousand dollars, bearing interest at a rate not exceeding four and one-half per centum per annum, and due and payable not more than thirty years after their date, with the option reserved by the city to pay the same before their absolute date of maturity, at any time after the expiration of twenty years after their date, for the purpose of funding and paying off the outstanding floating indebtedness of said city herein above legalized and validated; and when said funding bonds to the amount of ten thousand dollars, executed in such form and in such denominations as the council of said city may direct, are issued and delivered for value, they shall be and are hereby made and declared to be valid and binding obligations of said city of Petoskey.

May issue
bonds,
amount,
interest, etc.

This act is ordered to take immediate effect.

Approved January 17, 1901.

[No. 246.]

AN ACT to legalize and make valid certain bonds voted to be issued by the village of Gaylord, Otsego county, Michigan.

The People of the State of Michigan enact:

SECTION 1. That the action of the village of Gaylord, in the county of Otsego and State of Michigan, and the action of the village council and other village officers thereof in voting to issue the bonds of said village, aggregating the sum of seven thousand five hundred dollars, five thousand dollars thereof to be used for the purpose of paying off debts of and maintaining the electric light plant, owned by said village, and two thousand five hundred dollars to be used for the purpose of paying off debts chargeable against the general fund, the said village council voting that said bonds should be dated November one, nineteen hundred, and seven thousand dollars of said bonds to be in denominations of one thousand dollars each, and five hundred dollars of said bonds to be issued in a denomination of five hundred dollars, due after the expiration of ten years after the date thereof, bearing interest at the rate of five per cent. per annum, payable semi-annually, the issue of which said bonds being authorized by a vote of more than two-thirds of the qualified electors of said village of Gaylord voting at an election duly called and held on the tenth day of September, nineteen hundred, together with all acts of the legislature of the State of

Bond issue
legalized

Michigan relating to said issue of bonds be and the same are hereby ratified, confirmed and legalized with like force and effect as if said village had at the time of the vote of the said village council voting the issue of said bonds due, full and legal authority to issue the same, and that the said bonds shall be held to be and are hereby made valid and binding obligations of said village of Gaylord.

This act is ordered to take immediate effect.

Approved January 18, 1901.

[No. 247.]

AN ACT to legalize certain proceedings of the city council of the city of Traverse city, and authorizing said council to issue the bonds of said city to the amount of twenty-five thousand dollars, for the purpose of extending and improving its water-works plant.

The People of the State of Michigan enact:

Proceedings
of council
legalized.

SECTION 1. That the proceedings of the city council of the city of Traverse City, Michigan, taken on August sixth, nineteen hundred, and August thirteenth, nineteen hundred, providing for the calling of an election to be held on August twenty-fourth, nineteen hundred, for the purpose of submitting to a vote of the tax-paying electors of said city the question of borrowing the sum of twenty-five thousand dollars, to be used and expended by said city in extending and improving the water-works plant, owned by said city, and the proceedings of said city council had on September third, nineteen hundred, providing for the issue of bonds pursuant to said election, are hereby legalized.

May issue
bonds,
amount,
interest, etc.

SEC. 2. That the city council of said city is hereby authorized and empowered, pursuant to the said special election held in said city on August twenty-fourth, nineteen hundred, to issue regular coupon bonds of said city to the amount of twenty-five thousand dollars for the purpose of extending and improving the present water-works plant of said city. Said bonds shall be of the denomination of one thousand dollars or five hundred dollars; shall bear date of November first, nineteen hundred, shall become due and payable absolutely thirty years after date, but redeemable at the option of said city, on any interest date, before said date of absolute maturity, after the expiration of twenty years from their date; Provided, Said city shall give sixty days' prior notice of its intention to redeem any of said bonds, by publication at least four times in a newspaper published

Proviso.

therein, and also in a financial newspaper published in the city, and state of New York. Said bonds shall bear interest from their date, until paid, at the rate of four per centum per annum, payable semi-annually, which interest payments shall be evidenced by proper coupons attached to each bond, and both principal and interest shall be payable in lawful money of the United States, at the office of the city treasurer of said city. Rate per cent.

SEC. 3. That after said bonds are issued, the city council of said city shall annually levy and cause to be collected a direct annual tax on all the taxable property in said city, in addition to all other city taxes, sufficient in amount to pay the interest on said bonds when and as the same matures, and also to establish and maintain a sinking fund, which shall be sufficient to liquidate the principal of said bonds at maturity. Tax levy for payment of.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 248.]

AN ACT to enable the board of supervisors of Houghton county to construct and maintain a bridge across Sturgeon river, in the township of Portage, county of Houghton.

The People of the State of Michigan enact:

SECTION 1. The board of supervisors of the county of Houghton is hereby authorized and empowered to build and maintain a bridge across Sturgeon river, in the township of Portage, in the county of Houghton, and to expend therefor any moneys in the county treasury not otherwise appropriated, not to exceed the sum of one thousand dollars. May build and maintain bridge.

Approved January 22, 1901.

[No. 249.]

AN ACT to empower and authorize the trustees of the Peter White public library of the city of Marquette to mortgage or sell certain real estate, held in trust by said trustees for said library, for the purpose of raising money to aid in the erection of a suitable library building in said city, upon lands donated to said trustees in trust for said library as a building site.

The People of the State of Michigan enact:

May mortgage
or sell certain
property.

SECTION 1. That the trustees of the Peter White public library of the city of Marquette be and the same are hereby empowered and authorized to mortgage or sell, by proper conveyance, the library building and premises held in trust by said trustees for said library, and situated on the north side of Washington street in said city of Marquette, for the purpose of raising money to aid in the erection of a suitable library building upon lands situated on Front street in said city, and free from incumbrance, which were donated to said trustees in trust for said library, as a building site.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 250.]

AN ACT to authorize the board of trustees of school district number one of the city of Ishpeming to borrow money for the funding of floating indebtedness incurred on account of necessary construction of school buildings and for extraordinary expenses and to issue bonds therefor.

The People of the State of Michigan enact:

May borrow
money.

SECTION 1. That the board of trustees of school district number one of the city of Ishpeming, Marquette county, shall have the power and is hereby authorized during the year one thousand nine hundred and one to raise by loan such sum not exceeding forty-five thousand dollars, as said board shall deem requisite and necessary to be used to fund the indebtedness of said school district, which shall be outstanding on January first one thousand nine hundred and one, incurred for the construction of necessary school buildings and for extraordinary expenses, and being in excess of its bonded indebtedness now authorized by law, and to secure said loan by the bonds of said school district, payable at such

times not less than five years and not more than fifteen years after date thereof, and with such rate of interest not exceeding five per centum per annum, as said board shall determine, which money shall be paid into the treasury of said school district to be used for the purpose aforesaid.

SEC. 2. A portion of said bonds may, in the discretion of said board, be issued under the terms of the authority granted by the voters said school district at a special election held on the twenty-seventh day of May, A. D. eighteen hundred ninety-nine, and in accordance with resolutions of said board of trustees to carry into effect the said vote, which are hereby legalized and confirmed for the purpose of this act, and if such portion of bonds be so issued, the same may refer to the authority derived from the vote at said special election and the resolutions of said board of trustees to carry the same into effect, as sufficient authority for the issuance thereof, and in such case, all remaining bonds authorized by this act may be issued in a separate series and refer to this act as the authority therefor. ^{Bonds, how issued.} Provided, This act shall not be construed as continuing authority for any further or additional issue of bonds by said board of trustees or said school district in any subsequent years, or to replace any of the bonds herein authorized. ^{Proviso.}

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 251.]

AN ACT to detach certain territory from the village of Muskegon Heights, county of Muskegon, and attach the said territory to the township of Norton in said county, and to repeal act number three hundred sixty-four of the local acts of eighteen hundred ninety-nine, and all acts or parts of acts inconsistent herewith.

The People of the State of Michigan enact:

SECTION 1. That the following pieces of land in the county of Muskegon and State of Michigan, bounded and described as herein set forth, is hereby detached from, and shall cease to be a part of the village of Muskegon Heights in the county of Muskegon, and is hereby attached to and shall hereafter become and be a part of the township of Norton in the county of Muskegon. Said pieces of land are described as follows: The east one-half of section nine, township nine north of range sixteen west; and lot three of section nine, township nine north range sixteen west; ^{Territory detached.}

and lots five, six and seven of section eight, township nine north range sixteen west, and all that fractional part of the southeast quarter of the southwest quarter of section seven, lying south of Mona lake in town nine north of range sixteen west, all in said county of Muskegon, Michigan.

Act repealed. SEC. 2. Act number three hundred sixty-four of the local acts of eighteen hundred ninety-nine, and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 252.]

AN ACT to change the name of Carlton M. Oothoudt to Carlton M. Dodge.

The People of the State of Michigan enact:

Name changed. SECTION 1. That the name of Carlton M. Oothoudt, of the township of Hanover, county of Jackson, and State of Michigan, be and is hereby changed to Carlton M. Dodge.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 253.]

AN ACT to change the name of Hubert Clark to Hubert Teller.

The People of the State of Michigan enact:

Name changed. SECTION 1. That the name of Hubert Clark, of Tekonsha, Calhoun county, Michigan, be and the same is hereby changed to Hubert Teller.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 254.]

AN ACT to legalize the floating indebtedness of the village of Algonac, to the amount of four thousand dollars, heretofore incurred in the construction of a village water-works plant, and to authorize the council of said village to issue the bonds of said village for the purpose of funding and paying off said indebtedness.

The People of the State of Michigan enact:

SECTION 1. That the floating indebtedness heretofore incurred by the village of Algonac, in St. Clair county, in and about the construction of a water-works plant, in and for said village, to the amount of four thousand dollars, be and the same is hereby legalized and declared to be a binding indebtedness upon said village, and the council of said village, in accordance with more than a two-thirds vote of the electors of said village, voting at a special election held therein on November thirteenth, A. D. nineteen hundred, is hereby authorized to issue the negotiable bonds of said village to the amount of four thousand dollars, bearing interest at a rate not exceeding five per cent. per annum, and due and payable not more than thirty years after date, for the purpose of funding and paying off the outstanding indebtedness of said village hereinabove legalized and validated; and when said funding bonds to the amount of four thousand dollars executed in such form and in such denomination as the council of said village may direct, are issued and delivered for value, they shall be and are hereby made and declared to be valid and binding obligations of said village of Algonac.

Indebtedness
legalized.

May issue
bonds,
amount,
interest, etc.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 255.]

AN ACT to legalize the floating indebtedness of the village of Algonac, to the amount of four thousand dollars, heretofore incurred in the construction of a village electric light plant, and to authorize the council of said village to issue the bonds of said village for the purpose of funding and paying off said indebtedness.

The People of the State of Michigan enact:

SECTION 1. That the floating indebtedness heretofore incurred by the village of Algonac, in St. Clair county, in and about the construction of an electric light plant in and for said village, to the amount of four thousand dollars, be and

Indebtedness
legalized.

May issue
bonds,
amount,
interest, etc.

the same is hereby legalized and declared to be a binding indebtedness upon said village, and the council of said village, in accordance with more than a two-thirds vote of the electors of said village, voting at a special election held therein on November thirteenth, A. D. nineteen hundred, is hereby authorized to issue the negotiable bonds of said village to the amount of four thousand dollars, bearing interest at a rate not exceeding five per cent. per annum, and due and payable not more than thirty years after date, for the purpose of funding and paying off the outstanding indebtedness of said village hereinabove legalized and validated; and when said funding bonds to the amount of four thousand dollars, executed in such form and in such denomination as the council of said village may direct, are issued and delivered for value, they shall be and are hereby made and declared to be valid and binding obligations of said village of Algonac.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 256.]

AN ACT to amend section one of an act approved January twelve, nineteen hundred one, entitled "An act authorizing the board of trustees of the public schools of the village of Addison, an incorporated school district, to call a meeting of the qualified electors of said school district for the purpose of selecting and changing sites and building school houses for said district."

The People of the State of Michigan enact: (a)

Section
amended.

SECTION 1. That section one of an act approved January twelve, nineteen hundred one, entitled "An act authorizing the board of trustees of the public schools of the village of Addison, an incorporated school district, to call a meeting of the qualified electors of said school district for the purpose of selecting and changing sites and building school houses for said district," be and the same is hereby amended so as to read as follows:

May call
special
meeting,
purpose of.

SECTION 1. That the board of trustees of the public schools of the village of Addison, a school district incorporated by act number two hundred seventy of the local acts of eighteen hundred ninety-three, is hereby authorized to call a special

(a) This act amends Section 1 of Local Act No. 244.

meeting of the qualified electors of said district, at any time within ninety days from the passage of this act, for the purpose of submitting to the voters of said district the question of selecting and changing sites for, and constructing school houses for the use of said district.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 257.]

AN ACT to authorize the village of Laurium, in the county of Houghton, State of Michigan, to borrow money and issue bonds therefor to the amount of one hundred thousand dollars for the purpose of constructing and improving streets and sewers.

The People of the State of Michigan enact:

SECTION 1. That the village council of the village of Laurium, county of Houghton, State of Michigan, be and hereby is authorized and empowered to borrow on the faith and credit of said village a sum or sums of money not to exceed in the aggregate the sum of one hundred thousand dollars, for any term or terms of years not less than ten nor more than thirty, at a rate of interest not exceeding six per cent. per annum, payable semi-annually; and to execute and issue the coupon bonds of said village therefor in such form and in such amounts and payable at such times within the foregoing limits as the said council may by a two-thirds vote of all the members elect determine; and to provide for the payment of the same, and for the payment of the interest upon the same, which bonds shall in no case be disposed of for less than their par value, and shall be payable at such place or places as such council shall direct.

May issue
bonds,
amount,
interest, etc.

Not to be
disposed of for
less than par.

SEC. 2. All money borrowed under the provisions of this act shall be used for the purposes of constructing and improving sewers and paving, grading and otherwise improving the streets of said village to such amounts and under such rules and regulations as said council shall prescribe.

Moneys, how
expended.

SEC. 3. It shall be the duty of said council to provide by tax upon the taxable property or from any fund it may have and not otherwise appropriated, for the said sum of one hundred thousand dollars or for any sum or sums of money borrowed under the provisions hereof, and interest upon any and all bonds issued under authority of this act as they may become due and they are hereby expressly authorized so to

Tax levy for
payment of.

Proviso.

do: Provided, That no bonds shall be issued or money borrowed for such purposes until the question shall be submitted to the electors at a special election to be called for that purpose by the council, or at any election held in said village at which said question shall be fairly submitted by the council to said electors; and a majority of the electors voting on the question shall so decide.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 258.]

AN ACT to authorize the township of South Arm, in Charlevoix county, to borrow money to be used in rebuilding a swing bridge and approaches thereto in said township and to issue bonds therefor.

The People of the State of Michigan enact:

May issue
bonds,
amount,
interest, etc.

SECTION 1. That the township board of the township of South Arm, in Charlevoix county, be and is hereby authorized and empowered to borrow on the faith and credit of said township not to exceed the sum of five thousand dollars, which is to be due and payable within ten years from the date of said loan, at a rate of interest not exceeding five per cent. per annum, and to execute coupon bonds of said township therefor in such form as said board shall determine, which bonds shall in no case be disposed of for a sum less than their par value.

Question to be
submitted to
electors.

SEC. 2. Such money shall not be borrowed, nor such bonds issued, unless a majority of the qualified electors of said township, voting at a special election to be called for the purpose of voting on said loan, shall so determine, and said township board is hereby authorized and empowered to call a special election for the purpose of submitting the question of said loan to the qualified electors of said township, giving due notice thereof, by causing the date, the place of voting and object of said election to be stated in printed or written notices in six public places in said township, not less than six days before said election, which notice shall state the sum of money proposed to be borrowed.

Form of
ballot.

SEC. 3. The vote upon such proposition shall be by ballot, either written or printed, or partly written and partly printed. Ballots in favor of such proposition shall be in the following words: "For issuing township bonds—Yes"; and the ballot against the same shall be in the following words: "For issuing township bonds—No"; and it shall be the duty of said

township board to provide at the polls of such election during the whole time while the same shall be open, a sufficient number of said ballots both for and against such proposition as shall be necessary to supply all the electors desiring to vote thereon; the election shall be conducted and the votes canvassed in all respects as in any other township election, and immediately upon the conclusion of such canvass, the inspectors of the election shall make and sign a certificate showing the whole number of votes cast upon such proposition, and the number for and against the same respectively, and said inspectors shall endorse upon such certificate and declaration in writing of the result of such election, which said certificate and declaration shall then be filed with the clerk of said township, and a copy of said certificate and declaration certified to by said township clerk shall be filed by him with the county clerk of the said county of Charlevoix.

Votes, how
canvassed.

SEC. 4. Any money borrowed under the provisions of this act shall be expended in rebuilding the swing bridge across the south arm of Pine lake connecting the villages of South Arm and East Jordan, in said township of South Arm; and in case of the issue of such bonds, it shall be the duty of the supervisor of said township to assess and the treasurer of said township to collect in each year thereafter, in addition to all other taxes authorized by law to be assessed and collected in said township, an amount sufficient to pay all interest upon such bonds accruing and becoming payable thereon, and also any installments of the principal thereof falling due in any such year, and the said interest shall be paid by said treasurer after the same shall become due, on presentation to him of the proper coupons, and the said principal shall be payable by said treasurer after the same shall become due, on proper presentation to him of the proper bonds.

Moneys, how
expended.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 259.]

AN ACT to change the name of Bartholomew Jano to Bartholomew Milano.

The People of the State of Michigan enact:

SECTION 1. That the name of Bartholomew Jano be and hereby is changed to Bartholomew Milano.

Name
changed.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 260.]

AN ACT to authorize the township of Hillman, in the county of Montmorency, and State of Michigan, to borrow money for the payment of the outstanding orders and other indebtedness of said township, and to issue bonds therefor.

The People of the State of Michigan enact:

May issue
bonds,
amount,
interest, etc.

SECTION 1. That the township board of the township of Hillman, in the county of Montmorency, and State of Michigan, be and is hereby authorized and empowered to borrow a sum of money not exceeding three thousand dollars, on the faith and credit of said township, and issue its coupon bonds therefor, payable at a time or times not exceeding ten years from the date thereof, in installments of three hundred dollars a year, and at a rate of interest not exceeding six per cent. per annum, which money shall be expended for the payment of any outstanding orders and indebtedness of said township.

When may
issue bonds.

To submit
question to
electors.

SEC. 2. Such money shall not be borrowed nor such bonds issued, unless a majority of qualified electors of said township, voting at the annual township meeting to be held the first Monday of April, A. D. nineteen hundred one, or at a special township meeting in said township, to be called or ordered by the township board of said township, at any time after the taking effect of this act; and the said township board is hereby authorized and empowered to submit the question of said loan to the qualified electors of said township, at such general or special township meeting, giving due notice thereof, by causing the date, place of voting, and object of said election to be stated in printed or written notices, posted in at least three public places in said township not less than six days prior to said election, which notices shall state the amount of money proposed to be borrowed.

Form of
ballot.

SEC. 3. The proposition of issuing the said bonds provided for in section one of this act, shall be submitted to the electors by ballot, which ballot shall be written or printed, or partly written and partly printed, and of the following form:

For issuing township bonds.

Yes. ☐

For issuing township bonds.

No. ☐

Votes, how
canvassed.

Said vote shall be canvassed the same as the ordinary vote cast at township meetings, and if, upon the canvassing of said vote, it shall be found that a majority of the electors voting upon said proposition have voted in favor of said proposition, then said township board shall be authorized to issue the bonds of said township as provided for in the first section of this act.

SEC. 4. It shall be the duty of the township board of said township, to raise by tax upon the taxable property of said township, in each year thereafter, in addition to any taxes now authorized by law to be assessed and collected in said township, an amount sufficient to pay all interest upon such bonds, accruing and becoming payable thereon, and also any installments of the principal thereof falling due in any such year. Tax levy for payment of.

SEC. 5. The interest upon such bonds shall be payable by the treasurer of said township after the same shall become due on presentation to him of the proper coupons, and the said principal shall be payable by the said treasurer after the same shall become due upon presentation to him of the proper bonds. Interest, how paid.

This act is ordered to take immediate effect.

Approved January 22, 1901.

[No. 261.]

AN ACT to define the duties of justices of the peace, in and for the county of Ionia, in certain cases and to regulate the fees therein.

The People of the State of Michigan enact:

SECTION 1. That it shall not be lawful hereafter for justices of the peace in and for the county of Ionia, to issue warrants for the arrest of any person or persons charged with being a disorderly person under act number two hundred and sixty-four of the public acts of eighteen hundred eighty-nine, the same being chapter one hundred fifty-five of the compiled laws of eighteen hundred and ninety-seven, entitled "An act relative to disorderly persons, and to repeal chapter fifty-three of the compiled laws of eighteen hundred and seventy-one, as amended by the several acts amendatory thereof," except when charged as a third or any subsequent offense, until an order in writing allowing the same is filed with such justices and signed by the prosecuting attorney for the county of Ionia. When justices may issue warrants.

SEC. 2. That it shall not be lawful hereafter for justices of the peace, in and for the county of Ionia, to issue warrants for the arrest of persons charged with being drunk and intoxicated under act number four of the public acts of eighteen hundred and eighty-seven, the same being compiler's section number eleven thousand seven hundred thirty-six of the compiled laws of eighteen hundred and ninety-seven, entitled "An act to punish drunk and intoxicated persons," until an Idem.

order in writing allowing the same is filed with such justices and signed by the prosecuting attorney in and for the county of Ionia.

When to
forfeit fees.

SEC. 3. In case any justice of the peace in and for said county of Ionia shall issue a warrant for the arrest of any person or persons charged with being a disorderly person or with being drunk and intoxicated, without first having on file a written order signed by the prosecuting attorney in and for the county of Ionia, as provided for in sections number one and two of this act, he shall forfeit all fees for services therein and no fees shall be paid to the sheriff or other officer serving the warrant.

This act is ordered to take immediate effect.

Approved January 24, 1901.

[No. 262.]

AN ACT to legalize the action of the qualified electors of St. Clair township, in St. Clair county, at a special meeting held on the twenty-ninth day of December, A. D. one thousand nine hundred, in said township, in voting to raise by tax in said township seven hundred and fifty dollars in the year one thousand nine hundred and one, and seven hundred and fifty dollars in the year one thousand nine hundred and two, for the purpose of building an iron bridge across Pine river in said township.

The People of the State of Michigan enact:

Action of
electors
legalized.

SECTION 1. That all the proceedings of the electors of St. Clair township, in St. Clair county, at a special meeting held in said township on the twenty-ninth day of December, A. D. one thousand nine hundred, whereby a vote was taken on and it was decided by said electors by ballot to raise the sum of fifteen hundred dollars to be used for the purpose of building an iron bridge across Pine river in said township, and whereby it was decided to raise by tax levy the sum of seven hundred and fifty dollars in the year one thousand nine hundred and one, and to raise by tax levy the sum of seven hundred and fifty dollars in the year one thousand nine hundred and two, are hereby legalized, and the supervisor of said township is hereby authorized and required to make the necessary tax levies on the taxable property in said township, in order to raise said amounts at the times above set forth, and in case the township board considers it expedient and necessary to hire and borrow the said sum of fifteen hundred dollars, the said township board is hereby authorized so to

do, and to issue the bonds of the township therefor. Seven hundred and fifty dollars to be payable on the first day of March, in the year one thousand nine hundred and two and seven hundred and fifty dollars to be payable on the first day of March, one thousand nine hundred and three, the rate of interest to be paid not to be greater than the legal rate of interest in this State; and the issuance of said bonds is hereby legalized.

This act is ordered to take immediate effect.

Approved January 24, 1901.

[No. 263.]

AN ACT to amend section ten of chapter two, section eight of chapter three, section six of chapter seven, section five of chapter nine, sections eight and fourteen of chapter nineteen, section eleven of chapter twenty-four, and section eight of chapter twenty-five, and to add a new section to chapter nineteen, the same to stand as section nineteen, of said chapter, of act number four hundred thirty-seven of the local acts of eighteen hundred ninety-nine, entitled "An act to vacate the township of Holmes and village of Mackinac in Mackinac county, State of Michigan, and to incorporate the city of Mackinac Island in said Mackinac county," approved June nine, eighteen hundred ninety-nine.

The People of the State of Michigan enact:

SECTION 1. That section ten of chapter two, section eight of chapter three, section six of chapter seven, section five of chapter nine, sections eight and fourteen of chapter nineteen, section eleven of chapter twenty-four, and section eight of chapter twenty-five, of act number four hundred thirty-seven of the local acts of eighteen hundred ninety-nine, entitled "An act to vacate the township of Holmes and village of Mackinac, in Mackinac county, State of Michigan, and to incorporate the city of Mackinac Island in said Mackinac county," approved June nine, eighteen hundred ninety-nine, be and the same are hereby amended so as to read as follows:

Sections
amended.

CHAPTER II.

SEC. 10. Said city, unless otherwise subdivided, shall be an election and voting district. On the Saturday next preceding a general election, and on the Saturday next preceding the day of the regular city election, and such other days as

Voting
district.

**Days of
registration.**

shall be appointed by the council not exceeding three days in all, previous to any such election, except for a special election when the previous registration shall be taken, unless otherwise ordered by the council, the board of registration for the city, except as in this act provides, shall be in session at such place as shall be designated, as hereinafter provided, from eight o'clock in the forenoon, until eight o'clock in the afternoon, for the purpose of completing the list of the qualified voters; during which session it shall be the right of each person then actually residing in the city and in the voting districts, and who, at the then next approaching election may be a qualified elector and whose name is not already registered, to have his name entered in the register of such city and voting district.

CHAPTER III.

**Who not to
be elected or
appointed to
office.**

SEC. 8. No person shall be elected or appointed to any office, unless he be an elector of the city, except the city attorney who shall be an elector of Mackinac county; and no person shall be elected or appointed to any office in the city who has been or is a defaulter to the city or to any board or officers thereof, or to any school district, county, or other municipal corporation of the State. All votes for, or any appointment of, any such defaulter shall be void.

CHAPTER VII.

**Ordinance to
be published.**

SEC. 6. Within one week after the passage of any ordinance the same shall be published in some newspaper printed in the county and circulated within the city, or posted in five public places in the city, and the clerk shall immediately after such publication or posting enter upon the record of ordinances, in a blank space to be left for such purpose under the recorded ordinance, a certificate stating in what newspaper and of what date such publication was made or when and of what date such posting was made, and sign the same officially, and such certificate shall be prima facie evidence that legal publication or posting of such ordinance has been made.

**What prima
facie evidence
of publication.**

CHAPTER IX.

**Power of
council.**

SEC. 5. The council of said city shall have authority to permit any street railway company to lay its tracks and operate its road with steam, electric or other power, on or across the streets, highways and public alleys of the city, as the council may deem expedient, upon such terms and conditions, and subject to such regulations, to be observed by the company, as the council may prescribe; and to prohibit the

laying of such track, or the operating of any such road except upon such terms and conditions. But such permission shall not affect the right or claim of any person for damages sustained by reason of the construction or location of any such railroad or street railway. The said council shall also have authority to grant to any person, persons, or corporation the right to construct, own, operate and maintain systems of water-works, lighting or motive power, or any one or more of such systems, for the purpose of supplying said city or the inhabitants thereof with water, or light or motive power, or one or more of the same, upon such terms and conditions as the council may prescribe, and may also grant to such person, persons, or corporation the right to charge such rates and to prescribe such regulations for the use of such water, light and power during the full term of the franchise, as the council and such grantee or grantees may in the first instance agree upon, and for such purpose or purposes said council may also grant to such person, persons or corporation, upon such terms and conditions as it may prescribe, such right to the use of the streets, alleys, wharves, parks and other public grounds and places of said city as may be necessary in the premises: Provided, That no permission or franchise for any purpose mentioned in this section, shall be given or granted for a period exceeding thirty years, nor without the affirmative vote in favor thereof of two-thirds of all the members of the said common council as constituted at the time.

Further powers.

Proviso.

CHAPTER XIX.

SEC. 8. Before proceeding to the construction of any district sewer, the council shall cause the board of public works to prepare, or cause to be prepared a diagram and plat of the whole sewer district, showing all the streets, public grounds, lands, lots and subdivisions thereof in the district, and the proposed route and location of the sewer; and the depth, grade and dimensions thereof, and shall procure an estimate of the cost thereof, and thereupon the council shall give two weeks' notice, by publication in one or more newspapers printed in the county, and circulated in the city, or by posting said notice in five public places in said city, of the intention to construct such sewer, and where said diagram and plat may be found for examination, and of the time when the board and council will meet and consider any suggestions and objections that may be made by parties interested with respect to such sewer.

To procure diagram of sewer district.

Estimate of cost.

SEC. 14. The board of public works may charge and collect annually from persons whose premises are connected by private drains with the public sewers, such reasonable sum as they may deem just, in proportion to the amount of drain-

Persons owning private drains, how charged.

Amount, how
collected.

age through such private drain; and such charge shall be a lien upon the premises, and may be collected by special assessments thereon, or otherwise.

CHAPTER XXIV.

May contract
water supply.

SEC. 11. The common council shall have power to contract with any person, persons, corporation or association, which shall have permission to construct, operate and maintain a system of water-works in said city for a supply of water for public purposes, including street hydrants, upon such terms and conditions and for such rates as may be agreed upon: Provided, That no such contract shall be made for any period exceeding fifteen years, nor without the affirmative vote in favor thereof of two-thirds of all the members of the said common council as constituted at the time.

Proviso.

CHAPTER XXV.

May contract
for lighting.

SEC. 8. The common council shall have power to contract for public lighting with any person, persons, corporation or association which shall have permission to construct, operate and maintain a system of gas, electric or other lighting works in said city upon such terms and conditions, as for such rates as may be agreed upon: Provided, That no such contract shall be made for any period exceeding fifteen years, nor without the affirmative vote in favor thereof of two-thirds of all the members of the said common council as constituted at the time.

Proviso.

Section
added.

SEC. 2. That a new section be added to chapter nineteen of said act number four hundred thirty-seven of the local acts of eighteen hundred ninety-nine, entitled "An act to vacate the township of Holmes and village of Mackinac in Mackinac county, State of Michigan, and to incorporate the city of Mackinac Island in said Mackinac county," approved June nine, eighteen hundred ninety-nine, the same to stand as section nineteen of said chapter, as follows:

CHAPTER XIX.

May contract
for sewerage,
etc.

SEC. 19. The council may contract from year to year or for a period of time not exceeding thirty years, with any person or persons, or with any duly authorized corporation or association, for the supplying of such city, or the inhabitants thereof, or both, with sewerage and drainage, upon such terms as may be agreed; and may grant to such person, persons, corporation or association, the right to the use of the streets, alleys and other public grounds, and places of said city, both for the laying and maintenance of pipes and mains and for outlets to the lake and straits, for a period not exceeding thirty years, to enable such person, persons, corpora-

tion or association to construct, operate and maintain proper sewers and drains upon such terms and conditions as may be specified.

This act is ordered to take immediate effect.

Approved January 29, 1901.

[No. 264.]

AN ACT to amend act number two hundred and eighteen of the local acts of eighteen hundred and ninety-three, entitled "An act relative to the salary of the judge of probate of the county of Wayne."

The People of the State of Michigan enact:

SECTION 1. That act number two hundred and eighteen of the local acts of eighteen hundred and ninety-three be and the same is hereby amended so as to read as follows: Act amended.

SEC. 2. From and after the first day of January, nineteen hundred and one, the salary of the judge of probate for the county of Wayne shall be six thousand dollars per annum, to be paid out of any moneys in the treasury of said county of Wayne. Salary of judge.

This act is ordered to take immediate effect.

Approved January 29, 1901.

[No. 265.]

AN ACT to amend section one of act number four hundred thirty-four of the acts of the legislature of the State of Michigan for the year eighteen hundred sixty-seven, entitled "An act to incorporate the village of Farmington," approved March twenty-five, eighteen hundred sixty-seven.

The People of the State of Michigan enact:

SECTION 1. That section one of act number four hundred thirty-four of the acts of the legislature of the State of Michigan for the year eighteen hundred sixty-seven, entitled "An act to incorporate the village of Farmington," approved March twenty-five, eighteen hundred sixty-seven, be and the same is hereby amended to read as follows: Section amended.

Territory
incorporated.

SECTION 1. That the following described territory, situate in the township of Farmington, county of Oakland, State of Michigan, to-wit: Section twenty-seven and the east half of section twenty-eight, in said township of Farmington, being township number one north of range number nine east, be and the same is hereby constituted a village corporate, to be known as the village of Farmington.

This act is ordered to take immediate effect.

Approved January 30, 1901.

[No. 266.]

AN ACT to legalize certain bonds of the township of Garfield, in Newago [Newaygo] county.

The People of the State of Michigan enact:

Bond issue
legalized.

SECTION 1. That all proceedings taken and had by the township board of the township of Garfield, in Newago [Newaygo] county in respect to the issue of the bonds of said township, the same being ten bonds of one thousand dollars each, all issued September twenty-eighth, nineteen hundred; the first bond of one thousand dollars which becomes due March first, one thousand nine hundred and one; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and two; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and three; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and four; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and five; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and six; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and seven; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and eight; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and nine; one bond of one thousand dollars which becomes due March first, one thousand nine hundred and ten, are hereby legalized, and the said bonds are declared to be the binding obligation of the said township of Garfield, anything in the laws heretofore passed by the legislature of this State to the contrary notwithstanding.

This act is ordered to take immediate effect.

Approved January 31, 1901.

[No. 267.]

AN ACT to provide for two voting precincts in the township of Baldwin, in the county of Delta.

The People of the State of Michigan enact:

SECTION 1. That the township of Baldwin, in the county of Delta, shall be divided into two voting precincts as follows, viz: All of town forty-one north, twenty-two west, sections nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five and thirty-six of town forty-two north, twenty-two west and sections one, two, three, four, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight and thirty-six of town forty-one north, twenty-three west, and sections four, five, eight and nine of town forty north, twenty-two west, shall constitute voting precinct number one. Sections five, six, seven, eight, seventeen, eighteen, nineteen, twenty, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four and thirty-five of town forty-one north, twenty-three west, and all of town forty-one north, twenty-four west, shall constitute voting precinct number two.

First precinct,
what to contain.

Second precinct, what
to contain.

SEC. 2. The polling place for the electors resident and being in the territory above described as precinct number one shall be at such place as the township board of the township of Baldwin shall determine, and the polling place for the electors resident and being in the territory known as precinct number two shall be at the school house at Cornell.

Polling place,
where to be.

SEC. 3. The present officers of the township of Baldwin who are by law constituted the boards of registration and election shall be the boards of registration and election for precinct number one of said township of Baldwin. The board of registration for the first election to be held in precinct number two of said township of Baldwin, shall be composed of John Bovie, Noah Deloria and William Kingsley, and the first board of election in said precinct number two shall be John Bovie, Edward Hollywood, William Harper and William Kingsley.

Boards of
registration
and elections,
who to be.

SEC. 4. It shall be the duty of the township board of the township of Baldwin to supply the necessary books for registration and election and the necessary blanks for the return thereof, to be used in precinct number two.

Books for
registration,
who to provide.

SEC. 5. The conduct of the elections in the precincts herein provided for shall be conducted in accordance with the provisions of the general laws for the conduct of elections, and the canvass and return of votes shall be in accordance

Elections,
how to be
conducted.

with the law governing the canvass and return of votes in townships having more than one precinct.

This act is ordered to take immediate effect.

Approved January 31, 1901.

[No. 268.]

AN ACT to authorize school district number one of the township of Hancock in the county of Houghton, to borrow money and to issue bonds therefor, for additions to and improvements of the school buildings of said district and the furnishing of the same.

The People of the State of Michigan enact:

May issue
bonds,
amount.

Proviso.

When board
may submit
question to
electors.

May call
special
meeting.

Who to
constitute
board of
inspectors.

SECTION 1. That school district number one of the township of Hancock in the county of Houghton be and is hereby authorized to borrow on the faith and credit of said school district, a sum not exceeding fifteen thousand dollars, and to issue the bonds of said district therefor, the money so borrowed to be used in payment for additions to and improvements of the school buildings of said district, made and to be made, and for the furnishing thereof: Provided, That a majority of the electors of said district who are qualified to vote at the annual school district meetings of said district upon questions relating to the raising of money for school purposes in said district and who are present and voting upon such proposition at an annual meeting or at a special meeting called for the purpose, shall vote therefor.

SEC. 2. The district board of said district may submit the question of the making of such loan to the electors mentioned in section one of this act, at any annual meeting of said district, or at a special meeting called for the purpose, and public notice thereof shall be given by said board by publishing the same in some newspaper printed in the village of Hancock in said district, at least one week before the time of such meeting, and by causing copies of such notice to be posted up in at least three public places in said district not less than six days before the time of such meeting, which notice shall state that the electors will be called upon at such meeting to vote upon the making of such loan; and the said district board is hereby authorized to call a special meeting of such electors, at any time in its discretion for the above named purpose, and by the giving of the notice aforesaid.

SEC. 3. At such annual meeting or at the special meeting provided for in section two, the moderator, director and assessor of said school district shall constitute a board of in-

spection, and shall cause a poll list to be kept and suitable poll books to be used, and the polls shall be kept open three hours after the time fixed for the meeting in the notices thereof. The vote shall be by ballot either printed or written, or partly printed and partly written, and such ballots shall be in the following form, namely, "For the loan" or "Against the loan," and shall be deposited in a separate ballot box provided for the purpose. At the closing of the polls the said inspectors shall canvass the vote cast upon said proposition and shall publicly declare the result and record the same in the school district records.

Form of
ballot.

Inspectors
to declare
result.

SEC. 4. If at such meeting a majority of such qualified electors present thereat and voting upon said proposition shall vote in favor of such loan, the district board of said district shall thereupon be authorized to borrow not to exceed the sum of fifteen thousand dollars and to issue the bonds of the district therefor in denominations not exceeding one thousand dollars each and at a rate of interest not exceeding five per cent. and for a period not exceeding thirty years, which bonds shall be executed in such proper form and by such officers and in such manner as said board shall direct.

When bonds
may be issued,
amount,
interest, etc.

SEC. 5. If said loan is made under the provisions of this act, the district board of said district is hereby authorized to raise by tax in each year thereafter, in addition to all other school taxes, a sum sufficient to provide for the interest of said bonds and to provide for a sinking fund for the payment of the principal thereof at maturity, said tax to be levied, assessed and collected as other taxes are levied and collected.

Tax levy for
payment of.

This act is ordered to take immediate effect.

Approved February 4, 1901.

[No. 269.]

AN ACT to attach the territory of school district number two, of the township of Portage, in the county of Houghton, Michigan, and other territory in said township, to school district number one of said township, and to disorganize and discontinue said district number two.

The People of the State of Michigan enact:

SECTION 1. That all of the territory now comprising school district number two of the township of Portage in the county of Houghton, Michigan, and all the remaining territory of said township of Portage not now included within the limits of school district number one of said township, be and the

Territory
attached.

with the law governing the canvass and return of votes in townships having more than one precinct.

This act is ordered to take immediate effect.

Approved January 31, 1901.

[No. 268.]

AN ACT to authorize school district number one of the township of Hancock in the county of Houghton, to borrow money and to issue bonds therefor, for additions to and improvements of the school buildings of said district and the furnishing of the same.

The People of the State of Michigan enact:

May issue
bonds,
amount.

SECTION 1. That school district number one of the township of Hancock in the county of Houghton be and is hereby authorized to borrow on the faith and credit of said school district, a sum not exceeding fifteen thousand dollars, and to issue the bonds of said district therefor, the money so borrowed to be used in payment for additions to and improvements of the school buildings of said district, made and to be made, and for the furnishing thereof: Provided, That a majority of the electors of said district who are qualified to vote at the annual school district meetings of said district upon questions relating to the raising of money for school purposes in said district and who are present and voting upon such proposition at an annual meeting or at a special meeting called for the purpose, shall vote therefor.

Proviso.

When board
may submit
question to
electors.

SEC. 2. The district board of said district may submit the question of the making of such loan to the electors mentioned in section one of this act, at any annual meeting of said district, or at a special meeting called for the purpose, and public notice thereof shall be given by said board by publishing the same in some newspaper printed in the village of Hancock in said district, at least one week before the time of such meeting, and by causing copies of such notice to be posted up in at least three public places in said district not less than six days before the time of such meeting, which notice shall state that the electors will be called upon at such meeting to vote upon the making of such loan; and the said district board is hereby authorized to call a special meeting of such electors, at any time in its discretion for the above named purpose, and by the giving of the notice aforesaid.

May call
special
meeting.

Who to
constitute
board of
inspectors.

SEC. 3. At such annual meeting or at the special meeting provided for in section two, the moderator, director and assessor of said school district shall constitute a board of in-

spection, and shall cause a poll list to be kept and suitable poll books to be used, and the polls shall be kept open three hours after the time fixed for the meeting in the notices thereof. The vote shall be by ballot either printed or written, or partly printed and partly written, and such ballots shall be in the following form, namely, "For the loan" or "Against the loan," and shall be deposited in a separate ballot box provided for the purpose. At the closing of the polls the said inspectors shall canvass the vote cast upon said proposition and shall publicly declare the result and record the same in the school district records.

Form of
ballot.

Inspectors
to declare
result.

SEC. 4. If at such meeting a majority of such qualified electors present thereat and voting upon said proposition shall vote in favor of such loan, the district board of said district shall thereupon be authorized to borrow not to exceed the sum of fifteen thousand dollars and to issue the bonds of the district therefor in denominations not exceeding one thousand dollars each and at a rate of interest not exceeding five per cent. and for a period not exceeding thirty years, which bonds shall be executed in such proper form and by such officers and in such manner as said board shall direct.

When bonds
may be issued,
amount,
interest, etc.

SEC. 5. If said loan is made under the provisions of this act, the district board of said district is hereby authorized to raise by tax in each year thereafter, in addition to all other school taxes, a sum sufficient to provide for the interest of said bonds and to provide for a sinking fund for the payment of the principal thereof at maturity, said tax to be levied, assessed and collected as other taxes are levied and collected.

Tax levy for
payment of.

This act is ordered to take immediate effect.

Approved February 4, 1901.

[No. 269.]

AN ACT to attach the territory of school district number two, of the township of Portage, in the county of Houghton, Michigan, and other territory in said township, to school district number one of said township, and to disorganize and discontinue said district number two.

The People of the State of Michigan enact:

SECTION 1. That all of the territory now comprising school district number two of the township of Portage in the county of Houghton, Michigan, and all the remaining territory of said township of Portage not now included within the limits of school district number one of said township, be and the

Territory
attached.

same are hereby added to and attached to school district number one of said township.

District
disorganized.
Disposition of
property,
debts, moneys,
etc.

SEC. 2. School district number two above mentioned, as heretofore organized and existing, is hereby disorganized and discontinued, and all lands, school houses and sites, together with the furniture, library, property effects and estate, real and personal, of said school district number two, and all moneys, debts and demands belonging to or due or owing, or to become due or owing, to said district as heretofore existing, are hereby declared to be the property of said district number one, and all bonds, debts and obligations of said district number two shall become and are hereby declared to be the debts, dues and obligations of said district number one, which debts, dues and obligations, together with all existing bonds, debts, dues and obligations of said district number one shall remain as liabilities of said district number one as the same shall hereafter exist under this act.

Board of
trustees to
remain.

SEC. 3. The members of the present board of trustees of said district number one shall constitute and remain as the board of trustees of said district as the same shall exist hereunder during their respective terms of office, and until their successors are duly elected and qualified under the general school laws of this State, and except as herein otherwise provided, said district shall be subject to and shall have all the privileges conferred by the general laws of this State applicable to grade school districts therein.

Act when to
take effect.
Proviso.

SEC. 4. This act shall take effect on the first day of July in the year nineteen hundred and one: Provided, however That prior to said day and at any time after the approval of this act, the district board of said district number one may hire and contract with teachers, or make contracts with relation to the property and affairs of said district as the same shall exist hereunder, to take effect after said first day of July.

This act is ordered to take immediate effect.

Approved February 4, 1901.

[No. 270.]

AN ACT to authorize the township board of the township of Decatur, Van Buren county, to borrow money to finish building a town hall in said township and to issue the bonds of the township for the payment of the same.

The People of the State of Michigan enact:

May issue
bonds,
amount,
interest, etc.

SECTION 1. That the township board of the township of Decatur, Van Buren county, is hereby authorized and empowered to borrow a sum of money, not exceeding five thou-

sand dollars, on the faith and credit of said township and to issue the bonds of said township therefor payable at a time or times not exceeding ten years from the date thereof, and at a rate of interest not exceeding six per cent per annum payable either annually or semi-annually, which money shall be used and expended in payment of the cost of completing a town hall in said township now partly built: *Provido.* That a majority of the legal voters of said township shall vote in favor thereof as provided in section four of this act.

SEC. 2. Said township board shall not sell said bonds for less than their full face or par value. *Not to be sold less than par.*

SEC. 3. It shall be the duty of the township board of said township of Decatur to provide for the payment of the interest upon said bonds, as it shall become due and for the payment of said bonds at maturity by tax upon the taxable property in said township. *Duty of township board.*

SEC. 4. The question of issuing the bonds provided for in section one of this act shall be submitted to the legal voters of said township at the annual township meeting to be held on the first Monday in April in the year one thousand nine hundred and one, or at a special township meeting to be called and held for the purpose of voting on said question. If voted on at a special township meeting, at least ten days notice of such special meeting and of the purpose for which the same is to be held, shall be given by posting up written or printed notices thereof in at least three public places in said township, and by publishing the same in a newspaper printed and of general circulation in said township. *To be submitted to voters.* If a special township meeting is called, for the purpose aforesaid, it shall be conducted in every respect as annual township meetings are now required by law to be conducted. *Notices to be published.* The ballots to be voted at said election shall have printed upon them the words "For issuing township bonds to complete town hall: Yes." And "For issuing township bonds to complete town hall: No." And there shall be printed on said ballot a square ☐ immediately preceding each of said questions. *Special meeting, how conducted.* Each elector voting in favor of issuing said bonds shall place a cross in the square immediately preceding the words: "For issuing township bonds to complete town hall: Yes." and each elector voting against said proposition shall place a cross in the square immediately preceding the words, "For issuing township bonds to complete town hall: No." If upon canvassing said ballots it shall be found that a majority of the electors voting at said meeting have voted "Yes," then said township board shall be authorized to issue the bonds of said township as hereinbefore provided, but if a majority of said electors have voted "No," then said bonds shall not be issued. *Form of ballot.*

This act is ordered to take immediate effect.

Approved February 5, 1901.

[No. 271.]

AN ACT to change the name of James Wilson, of the township of Lyon, Oakland county, Michigan, to James Wilson Clapp.

The People of the State of Michigan enact:

Name
changed.

SECTION 1. That the name of James Wilson, of the township of Lyon, Oakland county, Michigan, be and the same is hereby changed to James Wilson Clapp.

This act is ordered to take immediate effect.

Approved February 5, 1901.

[No. 272.]

AN ACT to amend section two of chapter eleven of an act entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June seven, eighteen hundred and eighty-three, as amended by an act approved June seventeen, eighteen hundred and eighty-nine.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section two of chapter eleven of an act entitled "An act to provide a charter for the city of Detroit and to repeal all acts or parts of acts in conflict therewith," approved June seven, eighteen hundred and eighty-three, as amended by an act approved June seventeen, eighteen hundred and eighty-nine, be amended so as to read as follows:

Purposes for
which may
levy and col-
lect taxes.

SEC. 2. The common council shall have power annually to levy, assess and collect taxes not exceeding one per cent on the assessed value of all real and personal estate in said city, made taxable by the laws of this State, in order to defray the expenses, and for the purpose for which the general fund, contingent fund, Detroit fire commission fund, poor fund, general road fund and recorder's court fund are constituted as above. Said common council shall have power annually to levy assessments and collect taxes on the assessed value of all real and personal estate in said city, made taxable by the laws of this State, in order to defray the expenses and for the purpose for which the public lighting fund is constituted as above. Said common council shall have power to advertise for proposals and contract for such public lighting for the term of one, two or three years, as they shall deem

advisable: Provided, That the amount to be raised for such public lighting in any one year shall not exceed the estimated cost or the actual cost, if already contracted for, of the public lighting for that year: Provided further, That the common council shall have the power to advertise for proposals, and contract for the removal, disposition and destruction of garbage and all animal and vegetable refuse for the term of one, two or three years, or for such term, not exceeding ten years, as they shall deem advisable; but the amount to be raised for any such purpose in any one year shall not exceed the estimated cost or the actual cost, if annually contracted for, for that year.

Proviso as to amount.

Further proviso as to disposition of garbage, etc.

This act is ordered to take immediate effect.

Approved February 6, 1901.

[No. 273.]

AN ACT to legalize the action of the board of supervisors of Baraga county in appropriating money to construct a breakwater to protect and improve the Baraga and L'Anse county road and to appropriate money therefor.

The People of the State of Michigan enact:

SECTION 1. That the action of the board of supervisors of Baraga county, at a meeting duly held on the eleventh day of October, A. D. nineteen hundred, in appropriating the sum of twenty-seven hundred dollars for the construction of a breakwater to protect and improve the Baraga and L'Anse county road, be and the same is hereby legalized and declared legal and valid.

Action of supervisors legalized.

SEC. 2. The said board of supervisors is hereby authorized and empowered to appropriate any further sum of money not exceeding eight hundred dollars, for the purpose of completing said breakwater and making improvements on said road, provided the same is necessary.

Appropriation authorized.

This act is ordered to take immediate effect.

Approved February 7, 1901.

[No. 274.]

AN ACT to authorize the village of Pinconning to compromise and refund its indebtedness.

The People of the State of Michigan enact:

May issue
bonds,
amount,
interest, etc.

SECTION 1. That the village of Pinconning in said State, acting by its village council is hereby authorized to execute and issue its bonds in the amount of not to exceed seven thousand dollars, bearing interest at a legal rate, and running for a period not to exceed fifteen years, and to deliver the same at any time after this act shall take effect, upon receiving back its certain bonds heretofore issued for the purpose of building water-works in the year eighteen hundred and eighty-eight, running for fifteen years, and aggregating in amount seven thousand dollars.

May levy tax
for payment
of.

SEC. 2. Said village council is hereby further authorized and empowered to levy a tax of one per cent per annum on all the taxable property in said village, for the purpose of establishing a fund to pay said bonds with interest thereon, pursuant to their terms; said money so raised to be used for no other purpose. Said power herein given is to expire when said bonds are paid in full.

Certain
bonds to
be canceled.

SEC. 3. Upon receiving back its said bonds, described in the preceding section, the said village council shall cause the same to be forthwith canceled and destroyed.

Approved February 7, 1901.

[No. 275.]

AN ACT to legalize certain bridge bonds issued by the township of Mecosta, county of Mecosta, Michigan.

The People of the State of Michigan enact:

Bond issue
legalized.

SECTION 1. That the bonds to the amount of three thousand dollars of the township of Mecosta, Mecosta county, Michigan, for building a bridge across Muskegon river in said township, where the section line between sections twenty and twenty-nine cross said Muskegon river, and authorized by vote of the electors of said township at a special election held on the seventeenth day of October in the year of our Lord one thousand nine hundred, be and the same are hereby made and declared legal and valid.

This act is ordered to take immediate effect.

Approved February 7, 1901.

[No. 276.]

AN ACT to change the name of the village of New Chicago,
in the county of Manistee, Michigan, to Pomona.

The People of the State of Michigan enact:

SECTION 1. That the name of the village of New Chicago, ^{Name} in the county of Manistee, Michigan, be and is hereby changed ^{changed.} to Pomona.

This act is ordered to take immediate effect.

Approved February 7, 1901.

[No. 277.]

AN ACT to incorporate the city of Manistique, in the county of Schoolcraft, as a city of the fourth class, and to repeal all acts or parts of acts relative to the incorporation of the village of Manistique.

The People of the State of Michigan enact:

SECTION 1. That the territory in the county of Schoolcraft ^{Territory} and State of Michigan, described as follows, to-wit: Sections ^{incorporated} twelve and thirteen, the east half of section eleven, the east ^{in city.} half of section fourteen, the south half of the southeast quarter of section two, the south half of the southwest quarter of section one, and lots number one and three of section one, all in town forty-one north of range sixteen west, also lot number ten of section six, the west half of the northwest quarter of section seven, the southwest quarter of section seven, lot two of section seven, and all of section eighteen, all in town forty-one north of range fifteen west, be and the same is hereby incorporated, made, constituted and organized into a city to be known as the city of Manistique.

SEC. 2. The said city shall be divided into four wards.

SEC. 3. The first ward shall embrace all that portion of ^{Number of} the city lying south of Deer street, and west of the center of ^{wards.} the middle channel of the Manistique river. ^{First ward.}

SEC. 4. The second ward shall embrace all that portion ^{Second ward.} of the city lying north of Deer street, and west of the center of the Manistique river.

SEC. 5. The third ward shall embrace all that portion of ^{Third ward.} the city lying east of the center of the Manistique river and bounded as follows, viz: Commencing at a point in the center of the middle channel of the Manistique river where the east and west eighth line which runs through the south half

of section twelve in town forty-one north of range sixteen west, intersects the center of said middle channel, running thence east on said eighth line to the center of Water street, thence in a southerly direction along the center line of Water street to the center of Oak street, thence east along the center line of Oak street to the center of Range street, thence north along the center line of Range street and a continuation thereof to the northwest corner of the southwest quarter of section seven in town forty-one north of range fifteen west, thence east along the quarter line of said section seven to the east line of the west half of the northwest quarter of said section seven, thence north along the easterly boundary of said city to the center of the Manistique river, and thence along the center of said river to the place of beginning.

Fourth ward.

SEC. 6. The fourth ward shall embrace all that portion of the city lying east of the center of the middle channel of the Manistique river and not included in the third ward as described in the preceding section.

Act govern-
ing city.

SEC. 7. The said city of Manistique shall in all things not herein otherwise provided be governed and its powers and duties defined by the provisions of act number two hundred and fifteen of the public acts of Michigan, of eighteen hundred and ninety-five, approved May twenty-seventh, eighteen hundred and ninety-five, entitled "An act to provide for the incorporation of cities of the fourth class" and all acts amendatory thereof.

First election,
notice of,
manner of
conducting,
etc.

SEC. 8. The time of holding the first election in said city, the manner of conducting and giving notice of said election, the method in which the government and affairs of the old or village incorporation within said city shall continue and proceed, and the powers and duties of the village officers, after the passage of this act and prior to the holding of the said first election in said city, and all other matters not herein otherwise provided for, shall be governed by the provisions of said act number two hundred and fifteen of the public acts of eighteen hundred and ninety-five and the amendments thereto, except in so far as the same may be inconsistent with the provisions of this act, the same as if the said city was incorporated in the manner provided in said act.

Expiration of
term of
justices of
the peace.

SEC. 9. All justices of the peace heretofore elected in the townships of Manistique and Hiawatha and residing within the corporate limits of said city shall continue in office until the fourth day of July, A. D. nineteen hundred one.

School
trustees,
when term
of office
to expire.

SEC. 10. The trustees of fractional school district number one of the townships of Manistique and Hiawatha shall continue in office until the first Tuesday of September, A. D. nineteen hundred one, and until that time shall have and exercise the powers and perform the duties of the trustees provided for in said act number two hundred and fifteen of

the public acts of eighteen hundred and ninety-five and the amendments thereto.

SEC. 11. The mayor of the city by virtue of his office shall be a member of the board of supervisors of Schoolcraft county together with the supervisors of the several wards, and as a member of such board he shall be entitled to receive the same compensation as other supervisors for attendance on said board, and he shall have all the rights, privileges and powers of the other members of said board of supervisors.

Mayor to be member of board of supervisors.

Compensation.

SEC. 12. It shall not be necessary for the city of Manistique to create and constitute a board of public works as provided in chapter twenty-eight of act number two hundred and fifteen of the public acts of eighteen hundred and ninety-five and the amendments thereto, unless the council of said city shall so determine by a two-thirds vote of all the aldermen elect. Whenever the council of said city shall by a two-thirds vote of all the aldermen elect determine to create and constitute a board of public works, the provisions of said chapter twenty-eight of act number two hundred and fifteen of the public acts of eighteen hundred and ninety-five and the amendments thereto shall be in full force and effect in said city.

Constituting board of public works, not obligatory.

Laws to govern when council elect to constitute a board of public works.

SEC. 13. All acts or parts of acts relative to the incorporation of the village of Manistique are hereby repealed.

Acts repealed.

This act is ordered to take immediate effect.

Approved February 7, 1901.

[No. 278.]

AN ACT to authorize the village of Harbor Springs, in the county of Emmet, to raise ten thousand dollars, by bonding said village, for the purpose of repairing, altering or extending its electric light plant.

The People of the State of Michigan enact:

SECTION 1. The village council of Harbor Springs, in the county of Emmet, shall be and is hereby authorized and empowered to borrow money on the faith and credit of said village, and issue bonds therefor to an amount not exceeding ten thousand dollars, to be expended in repairing, altering or extending its electric light plant.

May borrow money and issue bonds for electric light plant.

SEC. 2. The question of raising said money by loan shall be submitted by the village council of said village to the electors of said village, at a regular or at a special election to be called in compliance with this act, and the vote shall be taken as near as may be in accordance with chapter three

Loan to be submitted to electors.

Laws governing election.	of act three of the public acts of eighteen hundred and ninety-five, being an act entitled "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties." The village council shall have power to order a special election, or to submit said question at any regular election hereafter to be held, when it may by said village council be deemed necessary to carry out the provisions of this act, and the proceedings had at such an election shall be the same as at a regular election held within said village, except those electors voting for said loan shall have written or printed, or partially written and partially printed, on their ballots the words, "To bond the village of Harbor Springs for the purpose of repairing, altering or extending its electric light plant: Yes." And those voting against the loan shall have written or printed, or partially written and partially printed, on their ballots, "To bond the village of Harbor Springs for the purpose of repairing, altering or extending its electric light plant: No."
Council may order special election.	
Form of ballot.	SEC. 3. If such loan shall be authorized by a two-thirds vote of the electors voting therefor, said bonds may be issued in such sums, not exceeding the amount hereinbefore stated, and payable at such time and with such rate of interest, not exceeding six per cent per annum, as the village council may direct, and such bonds shall be signed by the president of said village and countersigned by the clerk of said village, and negotiated by and under the direction of said village council for a sum not less than their par value, and the money arising therefrom shall, under the direction of the village council, be applied for the purpose for which such money was raised, and for no other purpose; and said village council shall have power, and it shall be their duty to raise by tax upon the taxable property of said village such sum or sums as shall be sufficient to pay the amount of said bonds, and interest thereon when the same shall become due.
When and how bonds may be issued.	
How signed, negotiated, etc.	This act is ordered to take immediate effect. Approved February 8, 1901.
Money, how applied.	
Amounts to be incorporated in village tax.	

[No. 279.]

AN ACT to enable the village of New Baltimore, of the counties of Macomb and St. Clair, to bond itself for the purpose of furnishing and equipping the said village with suitable electric light for the purpose of lighting the public streets.

The People of the State of Michigan enact:

MAY CONTRACT FOR POWER, ETC. SECTION 1. That it shall be lawful for the village of New Baltimore, of the counties of Macomb and St. Clair, to enter into a contract with any individual, firm or corporation that

will agree to furnish it with suitable and satisfactory electric power for the purpose of lighting the streets of said village.

SEC. 2. The said village is hereby authorized and empowered to purchase and place in position such poles, wires, insulators, lamps and other equipment necessary to properly equip and furnish its streets with a good and suitable electric light and to connect said poles and wires with the electric power plant of any individual, firm or corporation that it may make, or shall have made, a contract with for that purpose.

Empowered
to purchase
equipment.

SEC. 3. The common council of said village are hereby authorized and empowered to bond the said village for the purpose of raising the money necessary to defray the expense authorized in section two of this act.

May bond
village.

SEC. 4. The said bonds shall be issued in compliance with the provisions of chapter eighty-seven of the compiled laws of eighteen hundred ninety-seven, relative to the incorporation of villages, under which said act the village of New Baltimore is incorporated.

Laws to
govern
bond issue.

This act is ordered to take immediate effect.

Approved February 8, 1901.

[No. 280.]

AN ACT to legalize and make valid certain bonds heretofore issued by the village of New Baltimore, Michigan.

The People of the State of Michigan enact:

SECTION 1. That the action of the village of New Baltimore, in the counties of Macomb and St. Clair, and State of Michigan, and the action of the village council and other village officers thereof in voting to issue the bonds of said village, aggregating the sum of two thousand dollars, for the purpose of establishing and operating electric lights in the said village, the said village council voting that said bonds should be dated January one, nineteen hundred and one, said bonds to be issued in denomination of five hundred dollars, payable in ten years from the date of the bonds, bearing interest at the rate of four per cent. per annum, payable annually, the issue of which said bonds was authorized by a vote of more than two-thirds of the qualified electors of said village of New Baltimore voting at a special election duly called and held on Saturday, the third day of November, A. D. nineteen hundred, together with all acts of the legislature of the State of Michigan relating to the issue of bonds, be and the same are hereby ratified, confirmed and legalized with like force and effect as if said village had at the time of

Issuing of
bonds for
electric lights,
legalized.

Denomina-
tion, interest,
etc.

Acts of
legislature
confirmed.

Valid
obligations.

the vote of the said village council voting the issue of said bonds due, full and legal authority to issue the same, and that the said bonds shall be held to be and are hereby made valid and binding obligations of said village of New Baltimore.

This act is ordered to take immediate effect.

Approved February 8, 1901.

[No. 281.]

AN ACT to provide for the control by the board of supervisors of Jackson county of certain classified index or abstract books, and for the making and maintenance thereof, and for the use thereof by the public.

The People of the State of Michigan enact:

Who to have
control of
abstract
books.

SECTION 1. That the classified index or abstract books of the county of Jackson now and hereafter prepared under resolution of the board of supervisors of said county shall be under the control of said board of supervisors, who shall provide for the care, custody and use thereof for the maintenance and continuance thereof and the use thereof by the public under the provisions of this act.

Supervisors
may appoint
superintendent.

SEC. 2. The said board of supervisors shall have the power of appointing a superintendent for the purpose of caring for and maintaining and having the custody of said books, such superintendent when so appointed to hold his office during the pleasure of said board, provided that except in case of incapacity or continued absence from the State no incumbent of said office shall be displaced unless by the vote of two-thirds of the members elect of said board of supervisors.

Duty of
superintendent.

SEC. 3. It shall be the duty of said superintendent to securely keep said books, and maintain and continue the same by promptly entering therein in its proper place every deed, mortgage, assignment, release, discharge, levy, lis pendens, or other instrument or proceeding affecting real estate, necessary to keep said book complete and to perform such other duties with respect thereto, as said board of supervisors may prescribe.

To give
bonds.

SEC. 4. Said superintendent before entering upon the duties of his office shall give bonds in an amount to be fixed by said board for the proper performance of the duties of such office, and to account for the moneys coming to his hands by reason thereof, such bond to be approved as said board may direct.

Salary, who
may fix.

SEC. 5. Said board may have the power to fix the salary of said superintendent and to provide offices and proper safes or vaults for the secure keeping of said books, and for

the use of said superintendent in the performance of his duties, and it shall be the duty of the register of deeds of said county to furnish the said superintendent all proper facilities for the use of the record and files thereof in the performance of his duties hereunder.

Duty of
register of
deeds.

SEC. 6. The use of said books by the public shall be subject to such rules therefor as said board of supervisors shall prescribe, and they shall prescribe the schedule of fees for such use, and the public shall be entitled at all times to such abstracts, searches, certificates and information as may be furnished by said books upon compliance with the rules so adopted and the payment of the fees so prescribed by the board of supervisors therefor.

Use of books
to be subject
to certain
rules.

SEC. 7. The committee of said board, having charge of said abstracts, shall at each regular meeting of the board of supervisors report the said doings in the premises and the amount of all moneys received by said superintendent of abstracts arising out of the use thereof, which said moneys shall be by said superintendent covered into the county treasury of said county, vouchers to be given said superintendent by the county treasurer therefor.

Committee
to report
moneys
received.

Moneys to be
covered into
county
treasury.

SEC. 8. Said county of Jackson or said abstracter shall not in any manner guarantee the correctness of any abstracts of title furnished by said abstracter in behalf of said county or any information furnished concerning the condition of title to any lands in said county, and said county shall not be held liable for damages caused by any error in any abstract of title furnished by said abstracter or furnished by said county in any manner, or for any error in information furnished concerning the condition of title to any lands in said county.

Abstracts
not to be
guaranteed.

SEC. 9. It shall be the duty of the officers in control of the various county offices of said county to furnish such proper facilities for the use of the records and files of their respective offices as may be necessary for the proper making and maintenance of said index or abstract books by the addition of current entries therein and each of said officers shall upon request furnish to said superintendent, room for a desk and reasonable facilities for his use in respect to the provisions of this section: Provided, That like facilities for the examination of said original files and records shall be afforded, at each of said offices, to all persons, firms and corporations, desiring to make such examinations, and to make pencil notes therefrom.

Duty of
county officers
relative to
records, etc.

Proviso.

This act is ordered to take immediate effect.

Approved February 14, 1901.

[No. 282.]

AN ACT to provide for the giving of bonds by the county road commissioner in and for the county of Manistee.

The People of the State of Michigan enact:

To give bonds. SECTION 1. That the county road commissioner in and for the county of Manistee shall within ten days after his election, take, subscribe and file with the county clerk the oath of office required by the constitution of this State and shall also within the same time execute and file with such clerk a bond to the county in the penal sum of three thousand dollars, with two or more sureties to be approved by the board of supervisors of said county, conditioned for the faithful discharge of the duties of his office.

Amount of.

This act is ordered to take immediate effect.

Approved February 14, 1901.

[No. 283.]

AN ACT to detach certain territory from school district number eight of the township of Hastings, Barry county, Michigan, and from school district number seven of the township of Castleton, Barry county, Michigan, and to organize the same into fractional school district number two of the townships of Hastings and Castleton.

The People of the State of Michigan enact:

Territory detached. SECTION 1. That the south half of section thirteen, the southeast quarter of section fourteen, the northeast quarter of section twenty-three and the north half of section twenty-four, in town three north, range eight west, be detached from school district number eight of the township of Hastings, and that the south half of section eighteen, the southwest quarter of section seventeen and the west half of the southeast quarter of section seventeen, and all that part of section nineteen lying north of Thornapple lake, and the north half of section twenty be detached from school district number seven of the township of Castleton and that said foregoing described territory be erected and organized into and known as fractional school district number two of the townships of Hastings and Castleton, the same to be organized in the same manner as school districts under the general law, whose boundaries are determined by the board of school inspectors.

New district.

This act is ordered to take immediate effect.

Approved February 15, 1901.

[No. 284.]

AN ACT to establish a department of public works in and for the city of Detroit, and to repeal all acts or parts of acts in conflict therewith.

The People of the State of Michigan enact:

SECTION 1. There shall be a department in the municipal government of the city of Detroit to be known as "the department of public works" of the city of Detroit, and the responsible head of said department shall be an officer to be known as "superintendent of public works." The person appointed to said office shall qualify by taking and filing with the city clerk the oath of office prescribed by the constitution of this State, and he also shall file with said clerk a bond in the penal sum of fifty thousand dollars with surety or sureties to be approved by the city controller conditioned for the faithful performance of the duties of the office.

Department
and superin-
tendent,
how known.

Superintend-
ent to sub-
scribe oath
and file bonds.

SEC. 2. Within five days after this act takes effect, a provisional appointment to said office shall be made by the governor(a) of this State, and the person so appointed shall hold said office until the third Tuesday of January, nineteen hundred and two, when an appointment to said office shall be made by the mayor of said city. The person so appointed by the mayor shall hold the office for the then ensuing term of four years and until his successor is appointed and qualified. On the second Tuesday in January, preceding the expiration of said term of four years, and on the second Tuesday in January, preceding the expiration of each succeeding term of four years, an appointment to said office shall be made by the mayor. Any vacancy occurring in said office, by death, resignation, or otherwise, before the third Tuesday of January, nineteen hundred and two, shall be filled by an appointment by the mayor. The person so appointed shall hold the office for the balance of the provisional term; and any vacancy occurring after said provisional term; shall, also, be filled by an appointment by the mayor. The person so appointed shall hold office for the balance of the regular term of four years.

Provisional
appointment
by governor.

Appointment
by the mayor.

Term of office.
When mayor
to appoint
for full term.

Vacancy,
how filled.

SEC. 3. The common council may by a vote of two-thirds of all the members elect remove from office any superintendent of public works for corrupt or wilful malfeasance or misfeasance in office, or for wilful neglect of the duties of his office, and in any such case the reason of such removal shall be entered on the records of the common council with the names and votes of the members voting on the question and any person so removed from said office shall not be eligible to reappointment to said office: Provided, however, That no

When council
may remove
superintend-
ent.

Proviso.

(a) Appointing power of governor unconstitutional: Moreland vs. Millen, et al., 85 N. W. R. 882.

superintendent of public works shall be removed from office by the common council unless first furnished with a copy of the charges in writing and allowed to be heard in his defense, with the aid of counsel; and for the purpose of determining the truth of any such charges the common council shall have power to issue subpoenas, to compel the attendance of witnesses, and the production of papers when necessary and shall proceed within thirty days after service of a copy of the charges to hear and determine upon the merits of the case. If such officer shall neglect to appear and answer such charges, his failure to do so, without a reasonable excuse therefor, may be deemed good cause for his removal from office.

Offices, books, records, etc., to be surrendered to superintendent.

SEC. 4. When a superintendent of public works shall have been appointed and qualified as herein provided, it shall be the duty of the present board of public works of the city of Detroit to surrender to him possession of the offices occupied by said board together with all the books, records, papers, property and money belonging or appertaining to said board of public works and from thenceforth, the custody and possession of the same shall be vested in the superintendent of public works, acting for and on behalf of the city of Detroit. In case the board of public works shall refuse or neglect to surrender such possession on demand, it shall be the duty of the superintendent of public works to apply to any court of competent jurisdiction for a writ of mandamus to compel said board of public works to surrender such possession to him.

In case of refusal to surrender books, etc.

Powers, duties, etc., of board of public works, how vested.

SEC. 5. From and after the appointment and qualification of a superintendent of public works under this act, all the powers, duties and functions heretofore vested in and exercised by the board of public works, excepting as herein altered or modified, shall be vested in and be exercised and performed by the superintendent of public works and he shall take the place of said board in the municipal government of the city of Detroit.

Appointment of secretary, engineer, clerks, etc.

SEC. 6. As soon as practicable after the appointment and qualification of a superintendent of public works, under this act it shall be his duty to appoint a secretary of the department of public works and a city engineer and such other subordinate officers, clerks and employes of the department as the common council of the city has heretofore, or may hereafter create and establish by ordinance, resolution or other action of said council. Said secretary and city engineer, and all other officers, clerks and employes of the department, including those now holding office under the board of public works, shall hold office and their employments subject to the pleasure of the superintendent of public works, and vacancies may be filled and new appointments may be made by him whenever, in his judgment, the public service may require it.

How shall hold office.

SEC. 7. The superintendent of public works, the secretary and city engineer and all officers, clerks and employes of the department shall be ineligible, while they hold their respective offices or employments, to any office elected by the people, and, if nominated for any such office, and they do not publicly decline the nomination within ten days succeeding the same, they shall be deemed to have resigned and to have vacated their office and they shall not receive any further salary or compensation from the city.

When deemed to have resigned or vacated offices.

SEC. 8. The superintendent of public works shall have no power to enter into any contract or to incur any indebtedness or liability or to dispose of any property or pay out or disburse any money for and in behalf of the city of Detroit, without the consent and approval of the common council of said city.

Common council to approve all contracts, etc.

SEC. 9. The superintendent of public works shall receive from the city an annual salary of five thousand dollars. The secretary of the department shall receive an annual salary of two thousand five hundred dollars, and the city engineer shall receive an annual salary of three thousand dollars, each payable in monthly installments, and the other officers, clerks and employes of the department shall receive such salary or compensation as the common council has prescribed, or may hereafter prescribe; all to be paid on pay rolls submitted to the controller of the city and approved by the common council before payment is made.

Salaries of officers and employes, how paid.

SEC. 10. The board of public works of the city of Detroit and the offices of the members of said board are abolished from and after the appointment and qualification of the superintendent of public works provided by this act.

Board of public works abolished.

This act is ordered to take immediate effect.

Approved February 15, 1901.

[No. 285.]

AN ACT to authorize the township of South Arm in Charlevoix county to borrow money to be used in building roads and bridges in said township and to issue bonds therefor and to repeal act number two hundred ninety-one of the local acts of eighteen hundred ninety-five of the State of Michigan.

The People of the State of Michigan enact:

SECTION 1. That the township board of the township of South Arm, in Charlevoix county, be and it is hereby authorized and empowered to borrow on the faith and credit of said township not to exceed the sum of fifteen thousand dollars, which is to be due and payable within fifteen years from the

May issue bonds, amount of, interest, etc.

date of said loan, at a rate of interest not exceeding five per cent. per annum, and to execute coupon bonds of said township therefor in such form as said board shall determine, which bonds shall in no case be disposed of for a less sum than their par value.

When bonds
to be issued.

To submit
question to
electors.

Form of
ballot.

Votes, how
canvassed.

Money, how
expended.

Tax levy for
payment of.

SEC. 2. Such money shall not be borrowed nor such bonds issued, unless a majority of the qualified electors of said township voting at a special election to be called for the purpose of voting on said loan, shall so determine, and said township board is hereby authorized and empowered to call a special election for the purpose of submitting the question of said loan to the qualified electors of said township, giving due notice thereof, by causing the date, the place of voting and the object of said election to be stated in printed or written notices to be posted in six public places in said township, not less than six days before said election, which notices shall state the amount of money proposed to be borrowed.

SEC. 3. The vote upon such proposition shall be by ballot, either written or printed, or partly written and partly printed. Ballots in favor of such proposition shall be in the following words: "For issuing township bonds—Yes;" and the ballots against the same shall be in the following words: "For issuing township bonds—No;" and it shall be the duty of said township board to provide at the polls of such election during the whole time while the same shall be open a sufficient number of said ballots both for and against such proposition as shall be necessary to supply all the electors desiring to vote thereon; the election shall be conducted and the votes canvassed in all respects as in any other township election, and immediately upon the conclusion of such canvass, the inspectors of the election shall make and sign a certificate showing the whole number of votes cast upon such proposition, and the number for and against the same respectively, and said inspector shall indorse upon such certificate a declaration in writing of the result of such election, which said certificate and declaration shall then be filed with the clerk of said township, and a copy of said certificate and declaration certified to and by said township clerk shall be filed by him with the county clerk of the said county of Charlevoix.

SEC. 4. Any money borrowed under the provisions of this act shall be expended by direction and under the approval of the said township board in building roads and bridges and in improving and repairing the same in said township of South Arm; and in the case of the issue of such bonds, it shall be the duty of the supervisor of said township to assess and the treasurer of said township to collect in each year thereafter, in addition to all other taxes authorized by law to be assessed and collected in said township, an amount sufficient to pay all interest upon such bonds accruing and becoming due and payable thereon and also any installments of the principal thereon falling due in any such year, and the

said interest shall be paid by said treasurer after the same shall become due, on presentation to him of the proper coupons, and the said principal shall be payable by said treasurer after the same shall become due, on proper presentation to him of the said bonds.

SEC. 5. Act number two hundred and ninety-one of the local acts of eighteen hundred ninety-five of the State of Michigan, being an act to authorize the township of South Arm, in Charlevoix county, Michigan, to borrow money for use in building roads and bridges, and to issue bonds therefor, is hereby repealed. Act repealed.

This act is ordered to take immediate effect.

Approved February 19, 1901.

[No. 286.]

AN ACT to validate the action of the board of supervisors of Bay county in submitting to a vote of the electors of said county the question of issuing the bonds of said county to the amount of one hundred thousand dollars, running thirty years, for the extension of the road system in said county; validating the election held on such proposition, and authorizing the board of supervisors to issue such bonds and to levy taxes for the payment of the same.

The People of the State of Michigan enact:

SECTION 1. That the action of the board of supervisors of Bay county, Michigan, on January nineteen, nineteen hundred, in adopting resolutions and submitting to the electors of said county, at the regular spring election held in the several townships and in the several wards of the cities in said county, on April second, A. D. nineteen hundred, the question of issuing the bonds of said county to the amount of one hundred thousand dollars, running for the period of thirty years, and bearing interest at a rate not exceeding three and one-half per centum per annum, payable semi-annually, for the purpose of extending the county road system in said county, and the election in said county on said proposition, held pursuant to said resolutions on April second, A. D. nineteen hundred, at which more than a majority of the electors voting on such proposition, voted in favor of the same, be and the same are hereby legalized and validated, and in accordance with the vote at said election, the board of supervisors of said county is hereby authorized to issue the negotiable coupon bonds of said county to the amount of one hundred thousand dollars, for the purpose of extending the

Action of
board of
supervisors
legalized.

Bonds, how designated.	county road system in said county. Said bonds shall be designated as "road extension bonds of nineteen hundred," shall bear the date of some day in the year nineteen hundred, and shall become due and payable thirty years from said date;
Interest, rate of.	shall bear interest at a rate not exceeding three and one-half per centum per annum, payable semi-annually; shall be payable at such place, and shall be in such form and of such denomination, and executed in such manner as said board of supervisors may, by resolution, direct, and when issued and delivered for value, shall be valid and binding obligations of said county.
Tax levy for payment of.	<p>SEC. 2. That when said bonds are issued, the board of supervisors of said county shall thereafter annually levy a direct tax, in addition to all other county taxes, on all of the taxable property in said county, sufficient in amount to meet the interest on said bonds, promptly as the same matures, and also to establish and maintain a sinking fund which shall be sufficient to liquidate the principal of the same at their maturity. Said annual tax shall be collected at the same time and in the same manner in each year as other county taxes are collected.</p> <p>This act is ordered to take immediate effect.</p> <p>Approved February 20, 1901.</p>

[No. 287.]

AN ACT to provide for the election of a city assessor by the electors of the city of St. Clair.

The People of the State of Michigan enact:

When and how elected.	<p>SECTION 1. That, in the city of St. Clair, a city of the fourth class incorporated under act number two hundred fifteen of the public acts of eighteen hundred ninety-five, entitled, "An act to provide for the incorporation of cities of the fourth class," notwithstanding the provisions of section three of chapter five and section one of chapter thirty-one of said act, relative to the appointment of a city assessor, the electors of said city shall hereafter elect a city assessor, at the same time and in the same manner as the other elective officers of said city are chosen, under the provisions of said act. Said city assessor shall hold his office for the same term, shall have the same powers, perform the same duties and be compensated in the same manner as provided in said act in case of the appointment of a city assessor by the mayor.</p>
Term of office, duties, compensation, etc.	<p>This act is ordered to take immediate effect.</p> <p>Approved February 20, 1901.</p>

[No. 288.]

AN ACT to organize the township of Ocqueoc in the county
of Presque Isle.

The People of the State of Michigan enact:

SECTION 1. That township thirty-five north, of range three east, now forming a portion of the township of Case, in the county of Presque Isle, be and the same is hereby detached from the township of Case, and created into a new township to be known and styled the township of Ocqueoc, and the first township meeting thereof shall be held at the hall known as the Fitch hall in the said township, on the third Monday in February, nineteen hundred and one.

New township,
name, when
first meeting
to be held.

SEC. 2. Joseph H. Fitch, Louis Godin, Sr. and Christian Glowe are hereby made and constituted a board of inspectors for said township election, and at such election the qualified electors shall choose by ballot persons to fill the various township offices in manner and form as provided by the general law of this State in case of township elections.

Board of
inspectors.

SEC. 3. If for any reason the township meeting provided for in the last preceding section shall not be held at the time specified for holding the same, it shall be lawful to hold the same at any time thereafter by giving at least fifteen days' notice of the time and place of holding such meeting, by posting notices (notice) thereof in four of the most public places in said township, which notice may be given by said board of inspectors of election or a majority of them.

When meet-
ing may be
held.

SEC. 4. If for any reason all or either of the inspectors hereby appointed shall neglect or be unable to attend the first township meeting at the time specified, it shall be lawful for the electors of said township, who shall be present at the time designated for opening the polls of said election, to choose from the electors present suitable persons to act as inspectors of said election in the place of such inspectors who shall neglect or be unable to attend such meeting.

When electors
may choose
inspectors.

SEC. 5. And the said Joseph H. Fitch, Louis Godin, Sr., and Christian Glowe, or a majority of them, shall constitute a board of registration, with like powers and duties of township board of registration in other cases, and the holding of the session of said board of registration shall be at the hall known as the Fitch hall on the Saturday preceding said election.

Board of
registration,
where to meet.

This act is ordered to take immediate effect.

Approved February 20, 1901.

[No. 289.]

AN ACT to repeal act number two hundred thirty-four of the local acts of eighteen hundred eighty-three, entitled "An act to incorporate the village of Palmer, in Marquette county," and to vacate the incorporation of said village.

The People of the State of Michigan enact:

Village
organization
dissolved.

SECTION 1. That act number two hundred thirty-four of the local acts of eighteen hundred eighty-three, entitled "An act to incorporate the village of Palmer, in Marquette county," is hereby repealed, and the incorporation of said village of Palmer is hereby vacated and the organization thereof dissolved.

Disposition of
books, papers,
etc.

SEC. 2. All books, papers, files and other property belonging to said village, shall be deposited in the town clerk's office of the township of Richmond, in the county of Marquette.

This act is ordered to take immediate effect.

Approved February 21, 1901.

[No. 290.]

AN ACT to amend section seven of act number two hundred and forty-three of the laws of eighteen hundred and sixty-nine, entitled "An act to create a board of water commissioners in the village of Marquette, and to define its powers and duties;" and to authorize the issue of bonds.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section seven of act number two hundred and forty-three of the laws of eighteen hundred and sixty-nine, entitled "An act to create a board of water commissioners in the village of Marquette, and to define its powers and duties," be amended so as to read as follows:

Commis-
sioners may
borrow
money.

SEC. 7. For fire department or water works purposes, or to refund or renew bonds issued for such purposes, or for the renewal of such refunding or renewal bonds, the said commissioners shall have power to borrow, upon the credit of the city of Marquette, from time to time, upon the best terms they can make, for such time as they shall deem expedient, and at a rate of interest not exceeding six per cent. per annum, a sum of money not exceeding in the aggregate and including the loan of twenty-five thousand dollars authorized by

Rate of
interest.

act number two hundred and forty of the local acts of eighteen hundred ninety-one, the sum of one hundred and twenty-five thousand dollars, unless and until the assessed value of the property in said city, as shown by the last preceding assessment roll, shall exceed the sum of two million five hundred thousand dollars, in which case said commissioners are hereby authorized to borrow, for said purposes, a sum of money not exceeding five per cent. of such assessed value; and they shall have authority to issue bonds pledging the faith and credit of said city for the payment of the principal and interest of said bonds, which bonds shall issue under the seal of said board of commissioners and shall be signed by them or a majority of them. And said commissioners shall have power to refund or renew any bonds issued for fire department or water works purposes, and outstanding at any time, by the issue of new bonds in their stead. And it shall be the duty of said commissioners to cause to be kept an accurate register of all the bonds issued by them, showing the number, date, and amount of each bond, and to whom issued, and when payable; and it shall also be their duty to present said bonds to the controller of said city for countersigning and to the recorder of said city for entry upon the records of said city, who shall certify on each bond that said record has been made: *May refund or renew bonds.* *To keep register of all bonds.* *Proviso.* Provided, That no such bonds, other than refunding or renewal bonds, shall be issued, nor new bonded indebtedness incurred, until the amount proposed to be raised shall have been submitted to the legal voters of said city and been approved by a majority vote by ballot of all the electors voting thereon at an annual election therein, notice of which submission shall be published two weeks prior to such election in a public newspaper published in said city, copies of which notice shall also be posted in each ward of said city at least ten days prior to such election; or at a special election therein, called by said commissioners to be held at such time and place in said city and in such manner as they shall determine, like notice of which shall be given: *Notice to be published.* *Proviso.* And provided, That said commissioners are hereby authorized to borrow twenty-five thousand dollars and issue bonds therefor, and to renew the loan of thirty-five thousand dollars and issue bonds therefor, according to the propositions authorizing such issues of bonds approved by a majority of the electors voting thereon at a special election held in said city on July sixth, nineteen hundred, with like force and effect as though a majority of all the electors of said city had voted on and approved such propositions at said special election.

This act is ordered to take immediate effect.

Approved February 21, 1901.

[No. 291.]

AN ACT to form the territory of the city of Negaunee, in Marquette county, into a single school district, and to empower said district to borrow money and bond itself by vote of its electors, in a sum not exceeding thirty thousand dollars, in excess of the amount now allowed by law for the purpose of paying outstanding bonds and indebtedness, purchasing school house sites, building school houses, and furnishing and equipping the same.

The People of the State of Michigan enact:

Territory
embraced.

SECTION 1. That the territory embraced within the limits of the city of Negaunee, in Marquette county, be, and the same hereby is formed into a school district, to be known as "school district number one" of said city.

May issue
bonds,
purpose of,
amount,
interest, etc.

SEC. 2. That the school district hereby formed be, and the same hereby is empowered and authorized, by a two-thirds vote of the qualified electors of said district, voting at any annual meeting or at any special meeting called for that purpose, to borrow money and issue its bonds therefor, running for a period of not more than twenty years, in a sum not exceeding in the aggregate the sum of thirty thousand dollars, in excess of the amount now allowed by law, and at a rate of interest not exceeding six per cent. per annum, for the purpose of paying outstanding bonds and indebtedness, purchasing school house sites, building school houses, and furnishing and equipping the same.

This act is ordered to take immediate effect.

Approved February 21, 1901.

[No. 292.]

AN ACT providing for the selection of candidates for elections by popular vote and relating to primary elections in the city of Grand Rapids.

The People of the State of Michigan enact:

Primary
election,
when held.

SECTION 1. On Tuesday, three weeks preceding any election at which officers for said city of Grand Rapids are to be elected, a primary election shall be held in the several wards of said city in accordance with this act, which shall be known as the primary election, for the purpose of choosing candidates for all elective city officers, and all other elective officers (except elective members of school boards), who are to be chosen in said city at said ensuing election.

SEC. 2. At least ten days before the primary election day any person who shall be eligible to an office shall appear personally or by his representative duly authorized before the city clerk of said city if a candidate for a city office, or candidate for a legislative office, with an affidavit to the effect that it is bona fide his intention to run for the nomination for any specified office; and he shall then and there pay to said city clerk the sum of fifteen dollars, except candidates for ward offices, who shall pay to the city clerk the sum of five dollars, a receipt for which shall be given him. The said city clerk shall place his name upon the primary election ballot of his party as hereinafter provided. The said city clerk shall number each petition in numerical order as received. Such fee of fifteen dollars shall be immediately paid into the city treasury by the city clerk. Such affidavit may be in substantially the following form:

Candidate
to file
affidavit.

Fees to be
paid.

Disposition of.

"I....., being duly sworn, say that I reside at No.....street, city of Grand Rapids, county of Kent, State of Michigan, and am a qualified voter therein, and a(name of party). That I am a candidate for nomination to the office of....., to be made at the primary of said party, to be held at....., and hereby request my name be printed upon the official primary ballot as provided by law, as the candidate for the.....party.

Form of
affidavit.

Subscribed and sworn to before me this.....day of
.....190..

SEC. 3. The method of voting at said primary election shall be by ballot, and all ballots voted shall be printed and prepared as herein provided. Each party ticket shall be absolutely uniform in color and size; shall be white and printed in black ink. Across the head of each ballot shall be printed in plain black type the name of the political party on each ticket, following the words "primary election ballot." On the next line, and in smaller type, shall be printed the words "list of candidates for nomination to be voted for in ward," (naming the ward that said ballot is intended for), followed by "city of Grand Rapids." The balance of the ticket is to be made in the same manner as the ballots used at a general election, except that the tickets are to be made up under the head in two columns, with a design of parallel or filagree rule, one inch wide, to separate the columns. At the top of each column shall appear the words "to vote for a person mark a cross (X) in the square at the left of the name of the person for whom you desire to vote." Each one of these sentences at the head of each column shall be enclosed in a rule the same as the names of each candidate, and at its end shall be a square directly over the squares in which marks are to be made. That square to have a black cross which shows the voter how to mark the ballot. Beginning at the top of the left

Method of
voting.

Style of
ballot.

hand column, at the left of the line in black type, shall appear the position for which the names following are candidates. Following this shall come the names of each candidate for that position, enclosed in a light face rule, with a square to the extreme left. The parallel rules containing the names to be three-sixteenths of an inch apart. Each position, with the names running for that position, shall be separated from the following one by a black face rule, to separate each position clearly. The positions shall be arranged as follows, provided nominees for such positions are to be selected in said city under the provisions of this act: First, judiciary; next, legislative; next, city and ward officers.

Names how arranged.

SEC. 4. The names of candidates for each office upon the ballot shall be arranged alphabetically by surnames.

City clerk to prepare ballots.

SEC. 5. It shall be the duty of the city clerk of the city of Grand Rapids to provide and prepare a sufficient number of ballots to be used at such primary election, at least two ballots to each elector according to the vote at the last preceding general election. A proof copy of the ballot shall be placed on file at the office of the said city clerk of the city of Grand Rapids, and to be open for the inspection by candidates named thereon, at least five days prior to said primary election. The ballots shall be delivered by said city clerk to the several chairmen of the several boards of inspectors in the several wards or voting precincts of said city in the manner provided by the general election laws of the State of Michigan for the delivering of ballots. There shall be no printing on the back of ballots or any mark to distinguish them but the initials of the chairman of the board of inspectors.

Proof ballot, where filed.

Ballots to be delivered to chairman.

How marked.

Unlawful to deliver ballots to other than city clerk.

SEC. 6. It shall be unlawful for the printer of such ballots, or any other person, to give or deliver to, or knowingly permit to be taken any of said ballots by any person other than the said city clerk, for whom such ballots are being printed; or to print or cause or permit to be printed any ballot in any other form than the one prescribed by this act, or with any other name thereon, or with names misspelled, or the names arranged in any other way than that authorized and directed by said city clerk.

Booths, railings, etc., to be provided.

SEC. 7. Booths and railings, with gates, shall be provided in the various voting precincts of said city for said primary election in the manner now provided in section three thousand six hundred thirty-one of the compiled laws of one thousand eight hundred ninety-seven, relating to the conducting of general elections; and said section is hereby made applicable to primary elections held under this act.

Election to be held in each precinct.

Notice, how and by whom given.

SEC. 8. The primary election shall be held in each voting precinct in said city at the place designated by the officers or persons whose duty or duties it is to designate the places for holding the general election. At least ten days prior to the time herein set for the holding of such primary election the city marshal of said city shall give notice of the holding of

such election, which notice shall be in writing, and be delivered to the several chairmen of the several boards of primary election inspectors in said city. Said notice shall also designate the offices for which candidates shall be chosen.

SEC. 9. The several boards of primary election inspectors to manage and conduct such election, in the various voting precincts, shall be appointed by the common council in the same manner as inspectors of election are now chosen, but the majority of each board shall be chosen from the political party which cast the highest number of votes at the last preceding election. The said boards of inspectors in each of the said voting precincts of said city, shall consist of three members, of whom the first appointed shall be chairman, and they shall hold office for the term of two years next following their appointment, and until their successors are appointed, and they shall each receive two dollars and fifty cents per day for their services at such primary election, to be paid from the same fund and in the same way as in general elections. In case one or more of the persons so appointed shall from any cause fail to appear at the time and place specified for the holding of said primary election, his or their places shall be filled on said board from among the electors at the opening of the polls, in the manner prescribed by the general election law of this State. The said board shall have the power to appoint from the electors present at said polls two clerks and two gate keepers, whose duties shall be the same as those prescribed by the general election law of this State, and who shall each receive one dollar and fifty cents for services at such primary election to be paid as in general elections.

Common council to appoint inspectors.

Number to constitute, term of office and salary.

Vacancies, how filled.

Board may appoint clerks.

SEC. 10. The following sections of the general election law, relating to the arrangements at polling places, the ballot boxes, booths, inspectors, gate keepers and clerks, are hereby made applicable to primary elections held under this act, to wit: Sections three thousand six hundred thirty-one, three thousand six hundred thirty-two and three thousand six hundred seventeen of the compiled laws of one thousand eight hundred ninety-seven.

General law to govern.

SEC. 11. The polls in the several voting precincts on the primary election day shall be kept open for the purpose of voting from twelve o'clock noon until eight o'clock in the evening.

Opening and closing polls.

SEC. 12. All persons entitled to registration as voters in the voting precinct on the day of the primary election, for the purpose of voting at the ensuing election, and all persons registered as having voted at the last preceding general election, shall be entitled to participate in the primary election. But no voter shall receive a primary election ballot, or be entitled to vote, until he shall have first been duly registered as a voter then and there in the manner provided by law; upon which registration (unless challenged, and if challenged, then only in the event that the challenge is determined in

Who entitled to vote at primary.

Boards to make duplicate copies of names.	<p>favor of the voter), he shall be entitled forthwith to receive the ballot of the political party with which he then and there states he is affiliated. It shall be the duty of the several boards of registration in the various voting precincts, in addition to all other duties required of them by law, to make a duplicate copy of the names of the electors registering at such general registration in a book to be provided them for that purpose. Upon the completion of said registration the books of names of said electors shall be delivered to the proper officers as are now delivered under the general registration law of this State. Said officers to deliver one of these books of registration containing a list of electors so registered to the chairman of the election inspectors, to be used by said election inspectors at the said primary election, and no person or persons shall be allowed to vote at said primary election unless he shall have complied with the terms and conditions herein stated and of the general election law relative to registration.</p>
Disposition of books upon completion of registration.	<p>SEC. 13. When an elector has received his ballot, he shall forthwith retire to an unoccupied booth, and without undue delay mark the ballot as he sees fit with the pencil to be found in such booth. If he soils or defaces said ballot he shall at once return the same and get a new ballot. In marking his ballot he shall observe the following rules: The elector shall designate his choice on his ballot by marking a cross (X) in each of the small squares opposite the names of the candidates for whom he desires to vote, being careful not to vote for more candidates for an office than are to be elected thereto at the election to follow the primary election, as indicated on the ballot at the left of each office for which candidates are to be selected. The provisions of section three thousand seven hundred fifty-one of the compiled laws of eighteen hundred ninety-seven, are hereby made applicable to this act.</p>
Proceeding of elector upon receipt of ballot.	<p>SEC. 14. When an elector has prepared his ballot, he shall fold it with the edge upon which are the initials of the chairman uppermost, and so fold it as to conceal the face thereof and all marks thereon, and shall hand the same to the inspector of said primary election who is in charge of the ballot box. The folded ballots, when returned, shall be placed in the proper ballot boxes, and the name of the voter shall be checked off upon the registration list kept by said board of inspectors of primary election.</p>
Laws applicable.	<p>SEC. 15. As soon as the polls are finally closed, the board of primary election inspectors shall proceed to canvass the votes. Such canvass shall be public. The ballot boxes shall be opened and the whole number of ballots counted. If the ballots shall be in excess of the number of electors voting, according to the poll list, the number in excess shall be drawn out as provided in section three thousand six hundred forty-six of the general election laws of this State. Except as herein otherwise provided, the matters pertaining to the can-</p>
Ballot, how folded.	
Canvass of votes, how made.	
Laws governing.	

vass of votes shall be conducted in the manner prescribed for the canvassing of votes at the general election in this State.

SEC. 16. Two sets of tally sheets, or two tally books for each political party having candidates to be voted for at said primary election, shall be furnished for each voting precinct by the said city clerk, at the same time and in the same manner that the ballots are furnished, and shall be substantially as follows: Each tally sheet, or the first sheet of each tally book to be furnished shall be headed, "tally sheet for(name of political party).....(name of city)(ward).....(voting precinct), for a primary election held.....(date). The names of the candidates shall be placed on the tally sheets in the order in which they appear on the official ballots, and in each case shall have the proper party designation at the head thereof. Opposite the names of the respective candidates shall be placed the whole number of votes cast for him at said primary election. This tally sheet, together with the ballots, shall be replaced in the ballot boxes and delivered by the chairman of said board of primary election inspectors to the city clerk within twenty-four hours after the close of the polls.

Tally sheets,
how kept.

Disposition of.

SEC. 17. The common council of said city of Grand Rapids shall appoint three of its members, none of whom shall be a candidate for nomination for office at the primary election next ensuing, and who shall be chosen from the dominating political parties represented in said county, as a board of canvassers. Said persons so appointed shall constitute the canvassing board for officers to be nominated and voted for at said primary election for said city, and who shall receive as compensation for said services so rendered a sum not exceeding three dollars per day for services actually rendered for canvassing said primary election returns. Said board shall make and complete such canvass as soon as possible after said primary election, and shall work continuously until all returns are fully canvassed and returned. It shall be the duty of said board to send for any missing returns, and it shall be the duty of the city marshal to obey and execute the orders of said board with reference thereto.

Common
council to
appoint
board of
canvassers.

Compensa-
tion.

Duty of
canvassers.

SEC. 18. The canvassing board shall make and prepare a statement, the same to be signed by the said board and filed in the office of the city clerk:

To make
and file
statement.

First. A statement containing the names of all candidates voted for at the primary election, with the number of votes received by each, and for what office. Said statement to be made as to each political party separately.

Idem.

Second. A statement of the names of the persons or candidates of each political party who are nominated, to wit: Those persons or candidates of such political party who received the highest number of votes for the respective offices. And where there is more than one person to be elected for a given office, at the ensuing election, there shall be included

Idem.

	in said statement of nominations the names of so many candidates of such party receiving the next highest number of votes for that office as there are persons to be elected to such office at said ensuing election. Said statement shall in like manner be made separately as to each political party.
Idem.	Third. A statement of the whole number of electors registered and the number of ballots cast at such primary election.
Proceedings in case of tie vote.	If two or more candidates of the same political party are tied for the same office, the tie shall be determined by lot, to be cast then and there, by and as the canvassing board may determine. It shall be the duty of the city clerk, upon the completion of its canvass by said canvassing board, to mail or deliver in person to each candidate so nominated a notice of such fact, and that his name will be placed on the official ballot at the ensuing election.
Notice to candidate.	
Who to constitute nominees.	SEC. 19. The persons whose names are so properly placed in said nominating statements shall be and constitute the nominees of the several political parties in which they were candidates, and such names shall be printed upon the official ballots prepared for the ensuing election in like manner as if such persons had been duly nominated by a party convention of delegates, with a certificate thereof filed as required by said general election law. No names of candidates of any political party which is required to make nominations under this act for officers to be voted for, shall be placed upon the official election ballot unless such candidates have been chosen in accordance with this act, except in case of a vacancy occasioned by death, removal or resignation of any candidate so chosen, or arising otherwise, and in such event the city campaign party committee of the same political party, or if there be no such committee, then a mass convention of such party may fill such vacancy. The name of such new candidate to be certified under oath to the city clerk by the chairman and secretary of such committee or convention.
Vacancy, how filled.	
Candidates to select chairman, etc.	SEC. 20. Candidates so nominated of the several political parties shall select a chairman and secretary of their respective city and legislative campaign committees.
Violation of act a misdemeanor.	SEC. 21. Any person who shall, while the polls are open at any polling place on any primary day, do any electioneering in said polling place, or within one hundred feet of said polling place; any person who shall offer or give to any other person any intoxicating liquors or drink any intoxicating liquors within any such polling place; any person who shall solicit or receive, directly or indirectly, any money or any promise of place or position or any valuable consideration for his vote or support at any such primary election; any person who shall offer any voter any money or reward of any kind, or who shall promise any place or position for the purpose of securing such votes or vote or support at any such primary election; any person who shall knowingly violate any of the provisions of this act; any person who shall refuse to

perform any duty enjoined upon him hereby; any person who shall vote or attempt to vote more than once or in more than one election district at the same primary election, shall be guilty of a misdemeanor. Any person who shall be convicted of any of the acts or omissions which are by this act declared to be misdemeanors, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment in the discretion of the court. Penalty.

SEC. 22. All acts or parts of acts in any wise contravening the provisions of this act are hereby repealed. Repealing clause.

This act is ordered to take immediate effect.

Approved February 23, 1901.

[No. 293.]

AN ACT to authorize and enable the city of Ann Arbor to build and construct a suitable building for a city hall, to purchase land therefor and to raise the money for such purpose by a tax and loan.

The People of the State of Michigan enact:

SECTION 1. The city of Ann Arbor is hereby authorized and empowered to build, construct and maintain a suitable building for a city hall, to purchase land therefor and to raise by tax or loan on the taxable property of the said city a sum of money not exceeding thirty thousand dollars for such purpose. May build, construct, and maintain city hall.

SEC. 2. Whenever the common council shall propose to cause any such city hall building to be constructed they shall so declare by resolution, specifying the sum of money proposed to be expended for that purpose, to be passed by at least a two-thirds vote of all the aldermen elect and shall cause such resolution to be entered in the record of their proceedings, whereupon the common council may at the then or next regular meeting have power and authority to call a special meeting of the qualified electors of the city pursuant to the provisions of the charter, and shall submit to the said electors the question of raising the money for such purpose by loan or otherwise. The vote of the said electors on such question shall be by ballot. The ballot shall be printed on white paper of equal length and width. The affirmative ballot shall have printed thereon the words "For the city hall loan—Yes." The negative ballots shall have printed thereon the words "For the city hall loan—No." The canvass of the vote and the determination of the result of such election shall To specify sum to be expended.
To submit question to electors.
Form of ballot.
Votes, how canvassed.

Proviso.	be in accordance with the provisions of the city charter: Provided, however, That nothing in this act contained or in the city charter shall be construed to prevent the common council in its discretion to order the vote at such election and the question submitted to be voted on and determined by the use of the Abbott voting machine. In the event of the use of the Abbott voting machine all "no choice" votes shall be disregarded and not counted.
When may issue bonds.	SEC. 3. If the electors at said election shall vote to authorize the construction of such city hall building then the common council shall have power and authority to issue and dispose of the bonds of the city of Ann Arbor in a sum not exceeding thirty thousand dollars for such purpose. The said bonds to be issued in such denominations and payable at such times and in such installments not exceeding thirty years and at a rate of interest not exceeding four per cent. per annum as the common council shall determine: Provided, That none of said bonds shall be sold or disposed of for less than par value.
Denomination, interest, etc.	
Proviso.	
Tax levy for payment of.	SEC. 4. After the sale and disposition of the said bonds or any part thereof the common council shall have power and authority and it shall be the duty of the common council to include in each annual tax bill or budget a sum of money sufficient to pay and discharge any sum either of interest or principal which shall be due or become due on account of the said bonds during the year in which any such tax is raised and all such sums of money so to be levied and assessed shall be in addition to and in excess of the money authorized by law to be levied and raised for all other city purposes. This act is ordered to take immediate effect. Approved February 25, 1901.

[No. 294.]

AN ACT to authorize the city of Ann Arbor to purchase the water-works plant, property, rights and franchises of the Ann Arbor Water Company and issue the bonds of the said city in payment therefor.

The People of the State of Michigan enact:

May issue bonds, purpose of.	SECTION 1. The city of Ann Arbor may borrow money and issue the bonds of the said city therefor in any sum not exceeding four hundred and fifty thousand dollars for the purpose of purchasing the water-works plant, property, rights, business and franchises, and all appurtenances thereto, of the
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Ann Arbor Water Company. The common council of the said city shall have power to fix the time and place of the payment of the principal and interest of the debt authorized by this act, and may authorize the issue of the bonds of the said city therefor in any sum not exceeding four hundred and fifty thousand dollars, and in such denominations as the said common council shall determine: Provided, That the bonds authorized by this act shall not be sold for less than the par value thereof and the rate of interest thereon shall not exceed four per cent. per annum.

Amount,
interest, etc.

Proviso.

SEC. 2. Before any money shall be borrowed, appropriated, raised or expended for the purchase of the said water-works plant, property, business, rights and franchises, the common council of the said city shall determine and agree with the Ann Arbor Water Company upon the sum to be paid the said Water Company by the said city for the said water-works plant, property, business, rights and franchises, and all appurtenances thereto, as the fair value thereof, and the question of purchasing the said water-works plant at the sum so determined and agreed upon as the fair value thereof shall be submitted to the electors of the said city at the next annual city election, or at a special election called for that purpose, and if a majority of the electors voting upon the said question shall vote to purchase the said water-works plant at the sum determined and agreed upon, then it shall be the duty of the said common council to authorize the issue of the bonds of the said city in the sum so determined, as the same shall be necessary, and to do all things necessary to consummate the purchase and transfer of the water-works plant, property, business, rights and franchises, and all appurtenances thereto, of the Ann Arbor Water Company to the said city of Ann Arbor: Provided, That should the said question be submitted to the electors of the said city at a special election, such election shall be conducted under the provisions of the charter of the city of Ann Arbor relating to elections, except that nothing therein contained shall prevent the common council of the said city from authorizing the votes cast upon the said question, whether at an annual or special election, to be voted, registered and counted upon the Abbott voting machine, and in the event of the use of the Abbott voting machine no "no choice" votes shall be counted, but shall be regarded as not cast.

To agree with
water com-
pany, sum to
be paid.

Question to be
submitted to
electors.

Proviso.

SEC. 3. The common council of the said city shall have the power, and it shall be their duty, to raise by tax upon the taxable property of the said city, such sum or sums as shall be sufficient, together with the surplus revenues from the operation of the said water-works, to pay the principal and interest upon the said bonds as the same shall become due and payable; and all taxes levied for this purpose shall be in excess and in addition to any sum or sums authorized to be

Tax levy for
payment of.

Proviso.

of said common council: Provided, That said bonds shall not be sold at less than par, and the money arising therefrom shall be used for the purposes aforesaid, and said common council shall have the power and it shall be their duty to raise by special assessment upon the lots and premises abutting upon said Fifth street, in proportion to their number of feet front upon the street, such sum or sums of money from time to time as shall be sufficient to pay the amount of said bonds and the interest thereon, as the same shall become due under the provisions of chapter seven of act number three of the public acts of eighteen hundred ninety-five, or a part of such sum or sums of money may be so raised and the remainder may be raised by taxes upon the taxable property of said village, which taxes so to be assessed may be in addition to all other taxes which said village is now authorized to raise and may be denominated in the tax assessment roll and proceedings in regard thereto as "special bond tax."

This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 298.]

AN ACT to change the name of William K. Church to William G. Kurz.

The People of the State of Michigan enact:

Name
changed.

SECTION 1. That the name of William K. Church be and the same is hereby changed to William G. Kurz.

This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 299.]

AN ACT to amend section twenty of an act entitled "An act to revise an act entitled 'An act relative to the free schools in the city of Grand Rapids,' approved March fifteenth, eighteen hundred seventy-one, as amended by an act approved April twenty-fourth, eighteen hundred seventy-five, approved May ninth, eighteen hundred seventy-seven, and as further amended May third, eighteen hundred seventy-nine, March sixteenth, eighteen hundred eighty-one, June ninth, eighteen hundred eighty-five, April twenty-seventh, eighteen hundred eighty-seven, May twenty-third, eighteen hundred ninety-three, and May tenth, eighteen hundred ninety-nine."

The People of the State of Michigan enact:

SECTION 1. That section twenty of an act entitled "An act to revise an act entitled 'An act relative to free schools in the city of Grand Rapids,' approved March fifteenth, eighteen hundred seventy-one, as amended by an act approved April twenty-fourth, eighteen hundred seventy-five, approved May ninth, eighteen hundred seventy-seven, and as further amended May third, eighteen hundred seventy-nine, March sixteenth, eighteen hundred eighty-one, June ninth, eighteen hundred eighty-five, April twenty-seventh, eighteen hundred eighty-seven, May twenty-third, eighteen hundred ninety-three, and May tenth, eighteen hundred ninety-nine," be amended so as to read as follows:

SEC. 20. The said board shall have full power and authority within the limitations of this act to borrow such sums of money as may by them be deemed necessary for the purpose of purchasing school-house sites, and building school houses, and purchasing a district library site and erecting a library building thereon, in said city: *Section amended.* Provided, That the action of said board authorizing such loans shall first be submitted to the common council of said city for its approval, and if approved by a majority of the members elect of said council, the bonds of the city shall be issued and deposited with the treasurer of said board of education, for such amounts and upon such terms of payment and drawing such rate of interest, not exceeding five per cent per annum, as said board and council may direct, which bonds shall not be valid until countersigned by the president and secretary of said board of education: *May borrow money for certain purposes.* Provided, also, That no bonds issued under this act shall be sold for less than par: *Proviso.* Provided further, That no money shall be borrowed or bonds issued for the purpose of purchasing a district library site or erecting a building thereon, until the question of borrowing such money and issuing said bonds shall at a general election, or *Further proviso. Proviso as to libraries.*

at a special election called for that purpose, be submitted to the electors of said city qualified to vote under the general election laws of this State, and shall be determined as a majority of the electors voting on such question at said election by ballot shall decide.

This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 300.]

AN ACT to authorize the township of St. Clair, in the county of St. Clair, to issue bonds to the amount of five thousand dollars, extending over a period of five years, for the payment of a judgment against said township for damages on account of personal injuries to Agnes Lauder.

The People of the State of Michigan enact:

May issue
bonds,
amount of,
rate of in-
terest, etc.

SECTION 1. That the township board of the township of St. Clair in the county of St. Clair may issue five one thousand dollar bonds, the same to draw interest not exceeding five per cent, payable in one, two, three, four and five years; the first bond to become due on March twentieth, nineteen hundred three; the second on March twentieth, nineteen hundred four; the third on March twentieth, nineteen hundred five; the fourth on March twentieth, nineteen hundred six and the fifth on March twentieth, nineteen hundred seven.

Proceeds,
how used.

SEC. 2. The proceeds of the said bonds shall be used for the purpose of paying the judgment recovered by Agnes Lauder in the case of Agnes Lauder against the township of St. Clair, recovered in the circuit court for St. Clair county and affirmed by the supreme court on appeal.

Tax levy for
payment of.

SEC. 3. There shall be levied on the taxable property of said township, for each of the years nineteen hundred two, nineteen hundred three, nineteen hundred four, nineteen hundred five and nineteen hundred six, one thousand dollars for the purpose of paying the said bonds authorized to be issued in section one of this act as the same mature.

This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 301.]

AN ACT to amend section twenty-one of title eight of the charter of the city of Grand Rapids, the same being section twenty-one of title eight of act number three hundred seventy-four of the local acts of the State of Michigan, entitled "An act to revise the charter of the city of Grand Rapids."

The People of the State of Michigan enact:

SECTION 1. That section twenty-one of title eight of the charter of the city of Grand Rapids, the same being section twenty-one of title eight of act number three hundred seventy-four of the local acts of the State of Michigan, entitled "An act to revise the charter of the city of Grand Rapids," be and the same is hereby amended so as to read as follows: Section amended.

SEC. 21. Owners or parties having legal interest in any real estate assessed under the provisions of this title, shall be liable to pay every tax regularly assessed thereon, and if the same shall not be paid by the first day of March following the assessment of the same, it shall be the duty of the city treasurer to cause a notice to be published in the two official newspapers of the city, once a week for four successive weeks, requiring the owners or parties having a legal interest in such real estate, to pay such tax, together with all interest and charges thereon, and that if default shall be made in paying the same, such real estate will be sold at public auction on the second Monday in April thereafter, at nine o'clock in the forenoon of that day, at the court house in said city, or as soon thereafter as the description of such real estate shall be reached in the course of sale, at the highest price which shall be bid for the same, for the payment of such tax and interest and charges thereon, together with all costs and charges of sale. Such sale shall be continued from day to day, Sunday and legal holidays being excluded, from the hour of nine o'clock in the forenoon until the hour of twelve o'clock noon, and from the hour of one o'clock in the afternoon until five o'clock thereafter of each day, until such delinquent taxes are disposed of by such sale. Who liable for tax.

Notice requiring owner to pay tax.

When may be sold at public auction.

Sale continued.

.This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 302.]

AN ACT relative to the annual election of township officers of the township of Hiawatha, county of Schoolcraft, in the year nineteen hundred one, and to provide for the retention in office of the present officers of such township until such election, and prescribing their powers and duties.

The People of the State of Michigan enact:

Certain persons to remain in office.

SECTION 1. That the persons elected as officers of the township of Hiawatha, in the county of Schoolcraft and State of Michigan, at the annual township meeting held in said township in the year A. D. nineteen hundred, shall continue to have, exercise and perform all the powers and duties of their respective offices until the annual township meeting to be held in said township, in the year A. D. nineteen hundred one, notwithstanding the fact that such persons reside in that portion of the territory formerly a part of said township and recently incorporated as a part of the city of Manistique.

Treasurer to continue in office.

SEC. 2. The treasurer of said township of Hiawatha elected at the annual township meeting held in said township in the year A. D. nineteen hundred, shall continue to hold the office of, and exercise the powers and duties of treasurer of said township, until the annual township meeting to be held in said township in the year A. D. nineteen hundred one, notwithstanding the fact that he is a resident of the recently incorporated city of Manistique; and all taxes levied and uncollected at the time of the incorporation of the city of Manistique, shall be collected the same as if such city had not been incorporated.

Annual meeting, where held.

SEC. 3. The annual township meeting of the township of Hiawatha, for the year A. D. nineteen hundred one, shall be held at the school-house in school district number two, in said township.

Board of registration, where to meet.

SEC. 4. Francis G. Dodge, A. C. Rockwell and John Oberg, three electors of said township, are hereby made and constituted a board of registration for the purpose of re-registering the voters in said township, and shall meet in said school-house on Saturday next preceding the annual township meeting for the year A. D. nineteen hundred one, for the purpose of making a re-registration of the qualified electors of said township. The same rules and requirements shall be observed in such re-registration in all respects as are required by law in original registration in new townships.

Rules, etc., to be observed.

Inspectors of election.

SEC. 5. Francis G. Dodge, A. C. Rockwell and John Oberg are hereby designated as inspectors of election for the annual township meeting to be held in said township for the year A. D. nineteen hundred one.

This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 303.]

AN ACT to authorize the township of Grosse Pointe, Wayne county, to grade, pave, plank, gravel, macadamize, curb and otherwise improve the highways known as Jefferson avenue and Mack avenue in said township, and to provide the necessary funds therefor.

The People of the State of Michigan enact:

SECTION 1. That the township of Grosse Pointe, Wayne county, is hereby authorized to grade, pave, plank, gravel, macadamize, curb and otherwise improve the highways known as Jefferson avenue and Mack avenue in said township, and for the purpose of defraying expenses thereof to issue bonds and levy taxes in the manner hereinafter provided.

May improve
Jefferson and
Mack avenues,
and issue
bonds.

SEC. 2. Whenever the township board of said township of Grosse Pointe shall by resolution duly passed, declare that it is expedient to grade, pave, plank, gravel, macadamize, curb or otherwise improve said Jefferson avenue and Mack avenue, or either of them, the said township board and the commissioner of highways of said township, acting together, shall cause to be made plans and specifications for the improvement of such highway in the manner declared to be expedient in the resolution aforesaid and to cause estimates to be made of the cost of such improvement or improvements. From such estimates said township board and highway commissioner, acting together, shall determine and fix the amount necessary to be raised for the purpose of such improvement or improvements, and the amount necessary to be raised by the issue and sale of bonds of said township for that purpose.

When plans
and specifica-
tions to be
made.

SEC. 3. The township board shall then submit to the electors of said township at the annual township meeting or at a special meeting to be called and ordered by the township board in the manner provided by law, the question of issuing bonds for the purpose of defraying the cost and expenses of the improvements declared by said township board to be expedient as aforesaid, to the amount determined by said township board and highway commissioner to be necessary therefor. The notice of such township meeting shall contain a true copy of the resolution of said township board declaring the expediency of the proposed improvement and the manner thereof, and the amount determined by said township board and highway commissioner, to be necessary for such purpose. Special ballots shall be provided for such election in the following form: "Shall the township of Grosse Pointe issue bonds to the amount of (the amount determined by said township board and commissioner of highways) dollars, for the purpose of improving Jefferson avenue (or Mack avenue, or both, as the case may be): Yes." "Shall the township of Grosse Pointe issue bonds to the amount of (the

To be sub-
mitted to
electors.

Form of
ballots.

amount determined by said township board and commissioner of highways) dollars, for the purpose of improving Jefferson avenue (or Mack avenue, or both, as the case may be): No." The town meeting shall be held and the mode of proceeding at such meeting and the method of canvassing the ballots cast upon said question shall be in the manner provided in the general act relative to township meetings.

When bonds
to be issued.

SEC. 4. If a majority of the electors of said township voting upon said question when so submitted, shall vote in favor of issuing said bonds, the township board shall, at any regular or special session thereafter determine the form and denomination of the bonds, the length of time they shall run, not exceeding thirty years, the rate of interest they shall bear, not exceeding five per cent. per annum, and shall cause such bonds with interest coupons attached to be issued, signed by the supervisor and the clerk of said township. Such bonds shall be negotiated under the direction of said township board at not less than the face value thereof, and the money received from the sale thereof shall be paid to the treasurer of said township, and there kept in a special fund to be used only for the purpose mentioned in this act.

How
negotiated.

When to
advertise
for bids.

SEC. 5. After the bonds so issued shall have been sold and the proceeds thereof paid into the fund aforesaid, said township board and highway commissioner shall advertise for bids for furnishing the material and doing the work of making the improvement declared to be expedient as aforesaid in accordance with the plans and specifications therefor as hereinbefore provided and shall let the contract therefor to the lowest responsible bidder. The successful bidder shall be required to give a bond in such sum as the township board and highway commissioner, acting together, shall require, conditioned for the furnishing of the material necessary and the doing of said work in accordance with said plans and specifications, and subject to the approval of said township board and commissioner of highways. The township board and commissioner of highways shall have the right to determine the details of the contract with such lowest bidder in respect of the time within which the work is to be completed, the method and time of payment, and in all other respects not hereinbefore provided for. Payments upon such contracts shall be made by the township treasurer upon orders of the township board given in the manner provided by law.

Contractor to
give bonds.

Details of
contract, who
to determine.

Payments,
how made.

Special
fund to be
created.

Commissioner
to estimate
expense.

SEC. 6. For the purpose of meeting and paying the principal and interest upon the bonds issued in pursuance of this act and of keeping the highways so improved in repair, a special fund to be known as the "Jefferson avenue and Mack avenue fund" shall be provided by said township board. The commissioner of highways shall, each year, in connection with his annual report to the township board as provided by law, also include an estimate of the amount of money which, in his judgment, will be necessary to keep said highway, after

it is so improved, in repair during the ensuing year. To the sum so reported said township board shall add a sum sufficient to pay the interest to become due during the ensuing year upon the bonds outstanding, issued in pursuance of this act, and is hereby authorized to raise by assessment upon the taxable property of the township the total sum necessary to pay said interest and to keep said highway in repair. Said township board is also authorized to raise by assessment upon the taxable property of said township such sum as it shall determine, not exceeding five thousand dollars in any one year, to be placed in a sinking fund for the payment of the principal of said bonds so outstanding. The sum so determined shall be assessed, levied and collected in the manner provided for the assessment, levy and collection of other taxes of said township. The fund so raised for repairs shall be used for repairs upon the highway or highways so improved and for no other purpose. The township board is also authorized to pay over to and apply upon said Jefferson avenue and Mack avenue fund and said sinking fund, such sum as it may desire to take out of the general funds of said township. Such sums as shall be placed in said fund from time to time for the purpose of meeting and paying the principal of said bonds shall be placed at interest by said township treasurer in a savings bank in the county of Wayne, to be approved by said township board, for the use and benefit of said township until such time as said sinking funds shall be used in meeting and paying said bonds.

Provision for interest and repairs.

Amount may be raised by tax for payment of bonds.

How assessed and collected.

Certain funds may be placed at interest.

SEC. 7. No bonds shall be issued in pursuance of the terms and provisions of this act in an amount so that the total of bonds issued in pursuance hereof shall exceed five per cent. of the total valuation of said township as shown by the last preceding assessment roll of said township.

Bonds not to exceed certain per cent. of valuation.

SEC. 8. The general law relative to highways and townships and all special acts relating to said township, wherever the same may conflict with the provisions of this act, are hereby suspended in their operations so far as the same are in conflict with the terms and provisions of this act.

Certain provisions of law suspended.

This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 304.]

AN ACT relative to the annual election of township officers of the township of Manistique, county of Schoolcraft, in the year nineteen hundred one, and to provide for the retention in office of the present officers of such township until election, and prescribing their powers and duties.

The People of the State of Michigan enact:

Certain
officers to
continue
in power.

SECTION 1. That the persons elected as officers of the township of Manistique, in the county of Schoolcraft, and State of Michigan, at the annual township meeting held in said township in the year A. D. nineteen hundred, shall continue to have, exercise and perform all the powers and duties of their respective offices until the annual township meeting to be held in said township, in the year A. D. nineteen hundred one, notwithstanding the fact that such persons reside in that portion of the territory formerly a part of said township and recently incorporated as a part of the city of Manistique.

Township
treasurer
to continue
in office.

SEC. 2. The treasurer of said township of Manistique elected at the annual township meeting held in said township in the year A. D. nineteen hundred, shall continue to hold the office of and exercise the powers and duties of treasurer of said township until the annual township meeting to be held in said township in the year A. D. nineteen hundred one, notwithstanding the fact that he is a resident of the recently incorporated city of Manistique; and all taxes levied and uncollected at the time of the incorporation of the city of Manistique, shall be collected the same as if such city had not been incorporated.

Annual
meeting.
where held.

SEC. 3. The annual township meeting of the township of Manistique, for the year A. D. nineteen hundred one, shall be held at the schoolhouse in school district number six of said township.

Board of
registration.

SEC. 4. William Clemmons, Edward Waterman and Granville Snow, three electors of said township, are hereby made and constituted a board of registration for the purpose of re-registering the voters in said township, and shall meet at said schoolhouse on Saturday next preceding the annual township meeting for the year A. D. nineteen hundred one, for the purpose of making a re-registration of the qualified electors of said township. The same rules and requirements shall be observed in such re-registration, in all respects as are required by law in original registration in new townships.

Inspectors
of election.

SEC. 5. William Clemmons, Edward Waterman and Granville Snow are hereby designated as inspectors of election for the annual township meeting to be held in said township for the year A. D. nineteen hundred one.

This act is ordered to take immediate effect.

Approved February 26, 1901.

[No. 305.]

AN ACT to provide for the election of a county commissioner of schools in the county of Wayne.

The People of the State of Michigan enact:

SECTION 1. There shall be elected at the election held on the first Monday in April, nineteen hundred one, and every fourth year thereafter, in the county of Wayne, one county commissioner of schools whose term of office shall commence on the first day of July next following his or her election, and who shall continue in office four years or until his or her successor shall be elected and qualified. Commissioner to be elected, term of office.

SEC. 2. The county commissioner of schools elected under the provisions of this act shall be subject to the provisions of act one hundred forty-seven, public acts of eighteen hundred ninety-one, except as otherwise provided for in section one of this act. Act to govern.

This act is ordered to take immediate effect.

Approved February 27, 1901.

[No. 306.]

AN ACT to legalize the abandonment and vacating of a part of the toll road of the Riverside Turnpike Company within the county of St. Clair.

The People of the State of Michigan enact:

SECTION 1. That the Riverside Turnpike Company be authorized and empowered to vacate and abandon that portion of its toll road within the county of St. Clair commencing at a point on the river road, formerly known as the Gratiot turnpike, where the section line between sections nineteen, twenty, twenty-one, twenty-eight and thirty intersect said road and running thence westerly on said line to the westerly limits of the township of Port Huron by filing in the office of the register of deeds for the county of St. Clair a resolution of said corporation making such abandonment and vacation. May vacate portion of road.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 307.]

AN ACT to amend section one of act number four hundred twenty-six of the session laws of one thousand eight hundred sixty-seven, entitled "An act to incorporate the public schools of the village of Hudson," approved March twenty-fifth, eighteen hundred sixty-seven, as amended by the several acts amendatory thereof and to add a new section to stand as section nine of said act.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section one of act number four hundred twenty-six of the session laws of one thousand eight hundred sixty-seven, entitled "An act to incorporate the public schools of the village of Hudson," approved March twenty-fifth, eighteen hundred sixty-seven, as amended by the several acts amendatory thereof, be and the same is hereby amended so as to read as follows:

Territory
of school
district.

SECTION 1. That so much of the township of Hudson, in the county of Lenawee and of the township of Pittsford, in the county of Hillsdale, as are included in the following descriptions and boundaries, viz: All those lands situate in town seven south, range one east, known and described as the south half of section seven, excepting therefrom ten acres off the north end of the east half of the southeast quarter of said section seven; the west half of the northwest quarter and the southwest quarter of section seventeen; section eighteen; section nineteen; the northwest quarter and the north one-third of the southwest quarter of section twenty, and the north one-third of the west one-eighth of the southeast quarter of said section twenty; the northwest fractional quarter of section thirty, and the west subdivision of the southwest fractional quarter of said section thirty. Also all those lands situate in town seven south, range one west, known and described as follows, viz: The south half of the southeast quarter of section twelve; the northeast quarter and the east half of the southeast quarter of section thirteen; the east half of the northeast quarter and the southeast quarter of section twenty-four, and the east three-fourths of the east half of the southwest quarter of said section twenty-four; the northeast quarter; the east half of the northwest quarter and the north half of the southeast quarter of section twenty-five. Also the following lands situated on section twenty-five formerly known as the Lowe mill property and deeded by Willard F. Day and wife to Edward W. Kefuss, May tenth, eighteen hundred ninety-seven, said deed being recorded in the office of the register of deeds for the county of Hillsdale on the fourteenth day of May, A. D. eighteen hundred ninety-seven, in liber one hundred thirty of deeds on page four hundred forty. Also about two acres of land situate on the northeast

Idem.

Idem.

corner of the south half of the southeast quarter of said section twenty-five, and now owned by Mrs. William Pomeroy, shall constitute a single school district to be known and designated as the public schools of the village of Hudson. The lands herein described include all of the territory of school district number five of the township of Hudson and of the corporation known as the public schools of the village of Hudson, and the school houses and all property of every name and nature, real, personal and mixed, belonging to said district number five, is hereby transferred to and shall be the property of the public schools of the village of Hudson, and such school district shall have all the powers and privileges conferred upon school districts and union and graded school districts by general law, and hereafter all schools organized therein in pursuance of this act under the direction and regulation of the school board shall be public and free to all children actual residents within the limits thereof, between the ages of five and twenty years inclusive.

Disposition of
property.

Schools to be
public and
free.

SEC. 9. The corporation heretofore known as "the public schools of the village of Hudson," shall upon and after the date upon which this act takes effect be known and designated in law as "the public schools of the city of Hudson."

Corporation,
how known.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 308.]

AN ACT to change and determine the wards of the city of Ludington.

The People of the State of Michigan enact:

SECTION 1. That the territory comprising the city of Ludington, in Mason county, and State of Michigan, shall be and remain the same as heretofore established, namely: The west one-half of section fourteen, the whole of fractional sections fifteen and sixteen, and so much of section twenty-two as lies north and east of Pere Marquette lake and river, the west one-half of section twenty-three, lot three of fractional section nine, and the south one-half of section ten, all in town eighteen north range eighteen west, county of Mason and State of Michigan.

Territory
embraced.

SEC. 2. Said city and territory shall be divided into five wards, to be known, bounded and described as follows: The first ward of said city shall be embraced in the following boundary lines, to wit: Commencing at the intersection of Charles street or Charles street extended, and the northern

Wards, num-
ber of, how
bounded, etc.
First ward.

	limits of said city, running thence south on the centre line of Charles street to the centre line of Loomis street; thence west to the centre of Robert street; thence southerly on the centre line of Robert street to the southern limits of the said city, as the eastern boundary; on the north by the northern limits of the said city; on the south by the southern limits of the said city; on the west by Lake Michigan. The second ward of said city shall be embraced in the following boundary lines, to wit: On the north by the northern boundary lines of the said city; on the east by the quarter line running north and south through section fourteen of said township and range; on the south by the centre line of Loomis and Pine streets; on the west by the centre line of Charles or Charles street extended to the northern limits of said city.
Second ward.	
Third ward.	The third ward of said city shall be embraced in the following boundary lines, to wit: On the north by the centre lines of Loomis and Pine streets; on the east by the quarter line running north and south through section twenty-three in said township and range; on the south by the North Pere Marquette bayou to its eastern head; thence east on section line between said sections fourteen and twenty-three to the east line of the said city; on the west by the centre line of Lavinia street extended south to Pere Marquette lake. The fourth ward of said city shall be embraced within the following boundary lines: On the north by the Pere Marquette bayou to its head; thence east on the section line between said sections fourteen and twenty-three to the eastern boundary of the said city; on the east by the quarter line running north and south through section twenty-three in said township and range; on the south by Pere Marquette lake; on the west by Pere Marquette lake. The fifth ward of said city shall be embraced within the following boundaries, to wit: On the north by the centre line of Loomis street; on the east by the centre line of Lavinia street, extended south to Pere Marquette lake; on the south by Pere Marquette lake; on the west by the centre line of Robert street extended south to the southern boundary of the said city.
Fourth ward.	
Fifth ward.	
Purpose of act.	SEC. 3. It is the purpose hereof to abolish the sixth ward of the said city, and the present officers of the first, second, third, fourth and fifth wards, as heretofore constituted, shall, subject to all the conditions of the city charter as to terms of office and otherwise, continue to be the officers respectively of the first, second, third, fourth and fifth wards as herein determined, the officers of the present sixth ward of the said city ceasing to hold office hereafter, the offices in the said sixth ward being hereby abolished.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 309.]

AN ACT to authorize the township of Portage in the county of Houghton and State of Michigan to raise money on the taxable property therein to support and maintain the Hurontown fire company, a company organized to protect the inhabitants of said township against loss or damage to their property therein, by fire.

The People of the State of Michigan enact:

SECTION 1. That the township board of the township of Portage in the county of Houghton and State of Michigan be, and hereby is, authorized to, and shall support and maintain an organization known as the Hurontown fire company, which company is organized for the purpose of protecting the property of the inhabitants of said township against loss and damage by fire, and shall pay for its support and maintenance, in each year hereafter, a sum not exceeding four hundred dollars. To maintain fire company.

SEC. 2. Said sum of four hundred dollars shall be assessed upon the taxable property of said township and the same shall be collected in like manner as other taxes, and the treasurer of said township of Portage shall hold the sum as a separate fund, and shall pay out the same only on the order of the township board of said township of Portage for the purpose of supporting and maintaining said Hurontown fire company. Money, how collected and paid out.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 310.]

AN ACT to provide for the submission to the qualified electors of the township of Crystal, in the county of Oceana, State of Michigan, the question of the relief of Charles B. Barker, the treasurer of the township of Crystal, in said county, and his bondsmen, from liability on account of the loss of township funds occasioned through the failure of the bank of Neilson & Co., in Pentwater, Oceana county, Michigan, in May, nineteen hundred.

The People of the State of Michigan enact:

SECTION 1. That there shall be submitted to the qualified electors of the township of Crystal, in the county of Oceana, State of Michigan, at the annual township meeting to be held in said township on the first Monday in April, nineteen hun- Question of relief to be submitted to electors.

dred one, the question of relieving Charles B. Barker, treasurer of said township, and his bondsmen from liability on account of the loss of the funds of said township through the failure of the bank of Neilson & Co., in Pentwater, Oceana county, Michigan, where said funds were deposited; said relief to be determined as hereinafter provided.

Notice to
be given.

SEC. 2. The township clerk of said township of Crystal shall cause at least ten days' notice to be given of the intended submission of said question, in the same manner as is required by law to be given of said annual township meeting; said township clerk shall cause to be printed on white paper, and distributed at the polls of said township meeting in sufficient numbers for the accommodation of all the electors of said township, two sets of ballots of uniform size, color and texture; and on the ballots of one set shall be printed the words, "For the relief, yes," and on the other set of ballots, the words, "For the relief, no." Said ballots voted at said township meeting shall be voted and deposited in a separate ballot box, and shall be cared for, inspected and counted in the same manner, as near as may be, as ballots relative to constitutional amendments are voted, deposited, cared for and counted.

Form of
ballot.

How
canvassed.

Vote to
determine.

SEC. 3. If it should appear from the final inspection and counting of said ballots that two-thirds of the electors voting on said proposition shall have voted in favor thereof, the same shall be declared by the inspectors of said election, carried and adopted; and it shall be so certified by them to the township board of said township within five days after said meeting, and said Charles B. Barker and his bondsmen as such township treasurer shall thereupon be released and discharged from any and all liability to said township of Crystal for the loss of any funds belonging to said township by reason of the said failure of said Neilson & Co.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 311.]

AN ACT to provide for the construction of a bridge across the Sturgeon river in the township of Portage, in the county of Houghton and State of Michigan, and for the raising of funds to defray the cost and expense thereof.

The People of the State of Michigan enact:

May construct
bridge, cost
of.

SECTION 1. That the township board of the township of Portage, in the county of Houghton and State of Michigan, be and hereby is authorized to and shall construct a public

bridge across the Sturgeon river in section one of township fifty-two north of range thirty-four west, on the highway running across said section and crossing said river, at a cost of not more than one thousand dollars.

SEC. 2. Said one thousand dollars shall be assessed on the taxable property of said township of Portage specifically, according to its assessed valuation in the year nineteen hundred one. And the same shall be collected in the same manner as other taxes and shall be held by the treasurer of Portage township as a separate fund, and paid out only on the orders of the township board of the township of Portage, for the purpose of constructing said bridge, or for paying indebtedness incurred on account of such construction, and for no other purpose.

Money, how assessed.

How collected.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 312.]

AN ACT to authorize the townships of Springwells and Ecorse in the county of Wayne, State of Michigan, to jointly build and maintain a swing or drawbridge, constructed in whole or in part of steel or iron across the River Rouge at a point known as the Dix road or Saulsbury bridge, according to the plans and specifications which have heretofore been or which may hereafter be approved by the proper officers of the United States according to the act of congress, and to borrow money on the faith and credit of said townships to pay for the construction of said bridge.

The People of the State of Michigan enact:

SECTION 1. That the township boards of the townships of Springwells and Ecorse, county of Wayne, be and they are hereby authorized and empowered to jointly construct and maintain a swing or drawbridge constructed in whole or in part of iron or steel across the river Rouge forming the boundary line of said townships at a point thereon where the Dix road reaches the same and to replace what is known as the Saulsbury bridge, at a total cost for construction of said bridge and approaches not to exceed twenty thousand dollars, one-half of which shall be borne by each of said townships. Said bridge shall be constructed according to plans and specifications agreed upon between said township boards and which have heretofore been or may hereafter be approved by the proper officers of the United States: Provided how-

May construct and maintain bridge.

How constructed.

Proviso.

ever, That the consent of the board of supervisors shall have been or may hereafter be obtained to the construction of said bridge and approaches.

May issue
bonds,
amount of.

Proviso.

Further
proviso.

When may
issue bonds,
amount of,
rate of in-
terest, etc.

Who to sign.

Where
advertised.

Moneys, how
expended.

Not to be sold
less than par.

SEC. 2. For the purpose of procuring the money to pay for the construction of said bridge, each of the said townships be and it is hereby authorized and empowered to borrow money on its faith and credit an amount not exceeding ten thousand dollars to be expended in the construction of said bridge, and to issue township bonds as hereinafter provided to secure the payment of said loans: Provided however, That said bridge shall not be constructed or said money borrowed to pay therefor until a majority of the electors in each of said townships voting at an election to be called as hereinafter provided, shall vote in favor of the construction of said bridge and of the borrowing of said money in the manner specified in said act: Provided further, The notice to be given calling for such election shall distinctly state the bridge to be built, the amount of money to be borrowed to pay for the same by the respective townships, separately. Such election shall be held separately in each township and unless a majority of the voters in each township voting at said election shall vote in favor of constructing said bridge and borrowing said money, said bridge shall not be constructed or said money borrowed.

SEC. 3. If the construction of said bridge and the borrowing of the money to pay for the construction thereof shall be authorized by the electors of each township as aforesaid, said bridge may be built and bonds may be issued to secure the payment of the money borrowed to pay for the same, not exceeding the sum of ten thousand dollars by each township, and payable at such times and on such rates of interest, not exceeding four per centum per annum as the township board in each township may for themselves prescribe. Said bonds shall be signed by the supervisor and clerk of each township, sealed with the seal thereof and negotiated by or under the direction of such township board. Such bonds shall be advertised for sale in a daily newspaper, published in Detroit, for five days, and bids and tenders asked for purchase of same. Notice shall be signed by the supervisor of each township, for his township. The money received from the sale of said bonds shall be applied to the payment for the construction of such bridge and approaches and to no other purpose. Said bonds shall in no case be sold or disposed of for less than their par value, and the said township boards, each for their respective townships shall have the power, and it shall be their duty to raise by taxation upon the taxable property of their respective township such sum or sums as shall be sufficient to pay the amount of the said bonds and the interest thereon as fast as the same shall become due, and it shall be the duty of the respective townships each to bear the expense of one-half of the cost of maintaining said bridge.

SEC. 4. It shall be lawful for the supervisors of said townships, by a joint notice, to call a joint meeting of the township boards of said townships, at a time and place to be fixed in said notice, for the purpose of adopting plans and specifications for such bridge, and also after the qualified electors in each township shall have voted in favor of the construction of said bridge as hereinbefore provided, and the borrowing of the moneys necessary to pay therefor, call such like joint meeting for the fixing of the terms of the contract or contracts for the construction of said bridge, and the approaches thereto. Such plans and specifications shall not be adopted or approved, or such contract or contracts executed unless a majority of the board of each township shall in such joint meeting, vote in favor thereof. The supervisor of one of the townships shall be elected as chairman of such joint meeting, and thereupon, the clerk of the other township shall become the clerk of such joint meeting. A copy of the action of such joint meeting or meetings shall forthwith be filed in the office of the township clerk of each of the townships, together with the copies of the plans and specifications, and contract or contracts approved, adopted or authorized. Such copies shall be certified by the chairman and clerk of the joint meeting, and thereupon, the proper officer of each township shall be authorized to execute on behalf of his township, such contract or contracts for the construction of said bridge and approaches: Provided however, That in no event shall either township become in any way liable for the payment of any of the cost of the construction of said bridge or approaches, which under the terms of the contract or contracts would be properly chargeable to the other township: Provided however, That before entering into any contract for the construction of said bridge and approaches, or either thereof, not less than ten days' notice shall be published in some newspaper published in Wayne county stating that it is proposed to construct such bridge and approaches, stating where the plans and specifications can be examined, and calling for bids or tenders for constructing same. Such notice shall be signed by the supervisors of both townships, and such contract or contracts shall be let to the lowest responsible bidder. Satisfactory security for the faithful performance of such contracts and payment of labor and material and men shall be required as provided by law.

Supervisors
may call joint
meeting.

Purpose of
meeting.

Officers of
meeting.

Copy of action,
where filed.

To be certified
to, by whom.

Proviso.

Further
proviso.

Security for
performance
of contract.

SEC. 5. The said election or vote to be taken under this act shall be called according to the provisions of section four, of chapter seven of act number two hundred forty-three, of the public acts of eighteen hundred eighty-one, approved June eighth, eighteen hundred eighty-one, as heretofore amended and entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this

Election,
how called.

Proviso as
to form of
ballot.

State and the amendments thereto, being contained in chapter one hundred one, of the compiled laws of the State of Michigan of eighteen hundred ninety-seven: Provided however, That the ballots to be used at said election or vote shall read as follows: "For River Rouge bridge at Dix road, and borrowing money to construct the same. Yes ()." "For River Rouge bridge at Dix road, and borrowing money to construct the same. No ()."

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 313.]

AN ACT to authorize the village of Alma, in the county of Gratiot, to raise money by the issue of bonds for the purpose of making public improvements in said village, and its use therefor.

The People of the State of Michigan enact:

May issue
bonds.

Proviso as
to election.

Election, how
conducted,
etc.

Bonds, how
issued.
amount, rate
of interest,
etc.

How
negotiated.

SECTION 1. That the common council of the village of Alma, Michigan, be and is hereby authorized and empowered to borrow money on the faith and credit of said village and issue bonds therefor to an amount not to exceed twenty-five thousand dollars, which shall be expended by said common council as it shall determine in making public improvements in said village: Provided, That a majority of the electors of said village voting at an election to be called for such purpose by said council at a special election or called in a like manner at a general election of said village, shall vote in favor of the making of such loan within the authority conferred by this act.

SEC. 2. Said election shall be conducted in all its details and the vote on said proposition canvassed, certified and returned in like manner and as now provided by the existing provisions of law for the conduct of the general annual elections of said village in the month of March.

SEC. 3. If such loan shall be authorized by a majority of the electors so voting thereon, said bonds may be issued in such sums not exceeding the amount hereinbefore limited, and payable at such times with such rate of interest, not exceeding six per centum per annum, as the common council shall direct, and shall be signed by the president and clerk of said village and countersigned by the treasurer, and sealed with the seal of the village; said bonds shall be negotiated by and under the direction of said common council, and the money arising therefrom shall be appropriated in such man-

ner as said common council shall determine for the purpose aforesaid, and the common council shall have power, and it shall be the duty of said body, to raise by tax upon the taxable property of said village such sum or sums of money as shall be necessary and sufficient to pay the amount of said bonds and the interest thereon as fast as the same shall mature or become due.

Tax levy for
payment of.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 314.]

AN ACT to provide for the submission to the qualified electors of the township of Pentwater, in the county of Oceana, State of Michigan, the question of the relief of Hobart A. Grant, the treasurer of the township of Pentwater, in said county, and his bondsmen from liability on account of the loss of township funds occasioned through the failure of the bank of Neilson & Co., in Pentwater, Oceana county, Michigan, in May, nineteen hundred.

The People of the State of Michigan enact:

SECTION 1. That there shall be submitted to the qualified electors of the township of Pentwater, in the county of Oceana, State of Michigan, at the annual township meeting to be held in said township on the first Monday in April, nineteen hundred one, the question of relieving Hobert A. Grant, treasurer of said township, and his bondsmen from liability on account of the loss of the funds of said township through the failure of the bank of Neilson & Co., in Pentwater, Oceana county, Michigan, where said funds were deposited; said relief to be determined as hereinafter provided.

Question of
relief to be
submitted to
electors.

SEC. 2. The township clerk of said township of Pentwater shall cause at least ten days' notice to be given of the intended submission of said question, in the same manner as is required by law to be given of said annual township meeting; said township clerk shall cause to be printed on white paper, and distributed at the polls of said township meeting in sufficient numbers for the accommodation of all the electors of said township, two sets of ballots of uniform size, color and texture; and on the ballots of one set shall be printed the words, "For the relief, yes," and on the other set of ballots, the words, "For the relief, no." Said ballots voted at said township meeting shall be voted and deposited in a separate ballot box, and shall be cared for, inspected and counted in the same manner, as near as may be, as ballots relative to

Notice to be
given.

Form of
ballot.
How
canvassed.

constitutional amendments are voted, deposited, cared for and counted.

Number of
votes to
determine.

SEC. 3. If it should appear from the final inspection and counting of said ballots that two-thirds of the electors voting on said proposition shall have voted in favor thereof, the same shall be declared, by the inspectors of said election, carried and adopted; and it shall be so certified by them to the township board of said township within five days after said meeting, and the said Hobart A. Grant and his bondsmen as such township treasurer shall thereupon be released and discharged from any and all liability to said township of Pentwater, for the loss of any funds belonging to said township by reason of the said failure of said Neilson & Co.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 315.]

AN ACT to incorporate the public schools of the village of Jerome, Hillsdale county, Michigan; define the boundaries thereof, provide for the election of trustees and fix their powers and duties, and provide for the distribution of the territory of the disorganized districts.

The People of the State of Michigan enact:

Territory
embraced.

SECTION 1. That so much of the township of Somerset in the county of Hillsdale and the township of Moscow in the county of Hillsdale as are included in the following descriptions and boundaries, viz: All those lands situate in town five south of range one west, known and described as sections seventeen, eighteen, nineteen, twenty and thirty, and the west half of section eight, and section seven excepting the west half of the northwest quarter thereof, and the north half of section thirty-one excepting the south half of the east half of the northeast quarter thereof, and the north half of section thirty-two, excepting the south half of the west half of the northwest quarter thereof, and the west half and the south half of the southeast quarter and the northwest quarter of the northwest quarter all on section twenty-nine, and the northwest quarter of section twenty-one, and the west half of the west half and the southeast quarter of the southwest quarter of section sixteen, and all those lands situate in town five south of range two west, described as the east half of the southeast quarter of section thirteen, and all of section twenty-four excepting the west half of the west half thereof, and all of section twenty-five excepting the west half of the

west half thereof, and the northeast quarter of the northeast quarter of section thirty-six, shall constitute a single school district to be known and designated as the public schools of the village of Jerome, and such school district shall have all the powers and privileges conferred upon school districts, and union and graded school districts, by general law, and hereafter all schools established therein, in pursuance of this act, under the direction and regulation of the school board shall be public and free to all children actual residents within the limits thereof.

District.
how known.

SEC. 2. The officers of said district shall consist of trustees T. J. Lowrey, H. S. Walworth, C. H. Manzer, C. M. Bross, W. L. Bibbins, of the school district heretofore known as fractional school district number two of the townships of Somerset and Moscow, and Jay Chandler of the school district heretofore known as district number seven of the township of Somerset, whose powers and duties shall be severally the same as those conferred upon and required of the moderator, director and assessor of school districts in this State except so far as the same are varied or modified by the provisions of this act, or other acts relating to said district, who shall be and are hereby constituted the trustees and officers of the public schools of the village of Jerome; whose term of office shall continue until their successors shall be elected and qualified as hereinafter provided. Said board shall within twenty days after this act shall take effect meet and by lot divide into three equal divisions the terms of office of which shall expire as follows: The first division, at the time of the first annual school meeting held under the provisions of this act; the second division, at the time of the second annual meeting; and the third division at the time of the third annual meeting; and at the same meeting of the board they shall elect from their own number a president, secretary and treasurer, whose terms of office shall continue until the next annual meeting of said district. Said board of trustees shall have power to fill all vacancies that may occur in their number, or in the officers appointed by them, until the next annual meeting of said district.

Officers,
who to be.

Term of
office.

Board may fill
vacancies.

SEC. 3. At the annual meeting on the first Monday of July in each year there shall be elected by ballot two trustees whose term of office shall be three years, or until their successors are elected and qualified; and within ten days after each annual meeting the trustees shall meet and elect from their own number a president, secretary and treasurer for the ensuing year.

Trustees,
when elected,
term of office,
etc.

SEC. 4. From and after the passage of this act said board of trustees shall have all the powers and privileges conferred upon union and graded school districts by general law, and all the powers and duties of school inspectors of townships in this State shall be vested in and required of said board of trustees, who shall be ex officio the board of school inspectors

Powers and
duties of
board.

of the public schools of the village of Jerome and shall make their annual reports to the superintendent of public instruction as other boards of school inspectors are required to do under the general school laws.

To hire and contract with teachers, etc.

SEC. 5. Said board of trustees shall hire and contract with such duly qualified teachers as may be required in the schools, and shall provide all necessary appendages for the school house, to keep the same in good condition and repair, and shall keep an accurate account of all expenses incurred by them and all claims for such expenses shall be audited by said board of trustees and paid by the treasurer out of any money provided by the district for that purpose, on the order of the secretary, countersigned by the president of the board. Said board shall present at each annual meeting of the district a statement of all receipts, expenditures and accounts audited and allowed by them, together with the amount of the expenses necessary to be incurred during the ensuing year for such purposes and to pay the debts of the district and for the services of any teacher or any district officer, and such money when voted by any annual meeting shall be assessed and collected in the same manner as other district taxes but no tax for these purposes shall be voted at a special meeting, unless a notice of the same shall be expressed in the notice of such meeting.

To present statement of receipts, expenditures, etc.

Treasurer to give bonds.

SEC. 6. The treasurer of said district within ten days after his election and before he enters upon the duties of his office, shall give a bond to said district in such sum and with such sureties as shall be approved by the district board conditioned for the faithful discharge of the duties of said office and to account for and pay over all moneys that shall come into his hands by virtue of said office and he shall have power by suit at law, under the direction of the district board and in the name of the public schools of the village of Jerome, to collect all moneys due said district, or said public schools, from the several township treasurers, or for the tuition of children who are not actual residents of said district, or that may be due said district from any other source whatever. The bond of said treasurer shall be filed with the secretary of the board of trustees.

Where filed.

Disposition of property.

SEC. 7. All the lands, school houses and sites, together with the furniture, libraries, property, effects and estates and all property real or personal of the districts formerly known as district number three, district number seven of the township of Somerset and fractional district number eight of the townships of Somerset and Moscow are hereby transferred to and declared the property of the public schools of the village of Jerome and it is expressly provided that all amounts due the said districts formerly known as district number three and district number seven of the township of Somerset and fractional district number eight of the townships of Somerset and Moscow from whatever source shall become due and pay-

able to the public schools of the village of Jerome; and it is further provided that all debts and obligations against the school district formerly known as district number three and district number seven of the township of Somerset and fractional district number eight of the townships of Somerset and Moscow contracted before the passage of this act shall become the debts and obligations of the public schools of the village of Jerome and shall be paid by the board of trustees of the public schools of the village of Jerome upon proper proof of the validity of such debt or obligation.

SEC. 8. Suits may be brought by or against the public schools of the village of Jerome on all contracts, obligations, debts, bonds or demands due or unpaid from or to said fractional school district number two of the townships of Somerset and Moscow in like manner as they might have been by or against said school district if this act had not been passed.

How suits may be brought.

SEC. 9. The site located heretofore and now held by said fractional school district number two aforesaid shall be and the same is hereby declared and deemed to be a school house site for the public schools of the village of Jerome and the school building now owned and occupied by said fractional school district number two aforesaid is hereby made and declared to be the central school building of the public schools of the village of Jerome, to be used for the academic and more advanced classes of scholars and such other classes of scholars as the board of trustees shall deem necessary.

Site, buildings, etc., how used.

SEC. 10. The board of trustees of the public schools of the village of Jerome, as constituted in section two of this act, shall have power to sell at private or public sale the school buildings and sites owned by districts formerly known as district number three and district number seven of the township of Somerset and fractional district number eight of the townships of Somerset and Moscow, and the moneys received from such sale of said buildings and real estate may be used by said board of the public schools of the village of Jerome to make such repairs, improvements and additions to the central school building as they may deem necessary.

Trustees may sell buildings, etc.

SEC. 11. Within thirty days after this act shall take effect the board of school inspectors of said township of Somerset shall meet and attach to other districts in whole or in part within the boundaries of said township, such parts of said districts formerly known as district number three and district number seven of the township of Somerset and fractional district number eight of the townships of Somerset and Moscow as are not by this act included within the boundaries of said public schools of the village of Jerome: Provided, That the said board of trustees of the public schools of the village of Jerome shall fulfil all contracts now existing in any of the districts affected by the provisions of this act.

Moneys received, how used and expended.

When inspectors to meet. Purpose of meeting.

Proviso.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 316.]

AN ACT to detach certain territory from the township of Breitung in the county of Dickinson, and attach the same to the township of Sagola in said county.

The People of the State of Michigan enact:

Territory detached.

SECTION 1. That the north half of township numbered forty-one north of range numbered thirty west, in Dickinson county, shall be and the same hereby is detached from the township of Breitung and attached to and hereafter shall constitute a part of the township of Sagola in said county of Dickinson.

Taxes levied, how affected.

SEC. 2. All taxes heretofore levied upon the territory affected by this act shall be collected and be paid over to said township of Breitung, the same as though this act had not passed.

Acts repealed.

SEC. 3. All acts and parts of acts contravening any of the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 317.]

AN ACT to amend section three, chapter one; section one, chapter two; section three of chapter three; sections fourteen and sixteen of chapter fourteen; section thirty-five of chapter seventeen; and sections one and three of chapter twenty-two; and to add a new section to chapter seven to be known as section sixty-two; and to add a new chapter thereto to be known as chapter twenty-three of act number three hundred ninety of the local acts of eighteen hundred eighty-five, and the amendments thereto, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five.

The People of the State of Michigan enact:

Sections and chapters amended.

SECTION 1. That section three, chapter one; section one, chapter two; section three of chapter three; sections fourteen and sixteen of chapter fourteen; section thirty-five of chapter seventeen; and sections one and three of chapter twenty-two, of act number three hundred ninety of the local acts of eighteen hundred eighty-five, and the amendments thereto, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five, be and the same are amended so as to read as

hereinafter set forth; and that there be added thereto a new chapter to stand as chapter twenty-three, and one new section to stand as section sixty-two of chapter seven, said amended sections and said added chapter and section to read as follows:

CHAPTER I.

SEC. 3. The territorial limits of said city shall consist of all that tract of country in the county of St. Clair, bounded and described as follows, to wit: Commencing at a point in the national boundary line in St. Clair river where the same would be intersected by the section line projected between sections twenty-one and twenty-eight, in town six north of range seventeen east; thence running westerly along the center of the highway between said sections to its intersection with the east line of the highway along the west line of said section twenty-one; thence running north along the east line of the highway between sections twenty-one and twenty to the center line of the highway running east and west between sections sixteen and twenty-one; thence running east along the center line of said highway to the east line of the highway running north and south through the center of said section sixteen; thence north along the east line of said highway to the south line of Lapeer avenue; thence westerly along the south line of Lapeer avenue to a point where the Indian reservation line intersects said Lapeer avenue; thence in a northwesterly direction along said Indian reservation line to the south line of the Bon Homme tract; thence northeasterly along the south line of said Bon Homme tract to the center of Black river; thence up the middle line of Black river to a point where the same would be intersected by the northwest corner of the McNeil tract in the township of Fort Gratiot; thence easterly along the north line of said McNeil tract to a point where the west line of Lakeside cemetery intersects the north line of said tract; thence north along the west boundary of said Lakeside cemetery, said line being the west line of the east fractional part of section twenty-seven, in town seven north of range seventeen east, to the north line of said section twenty-seven; thence east along the north line of said section twenty-seven and the north line of said fractional section twenty-six to the westerly line of the highway known as Lakeside turnpike, or extension of Gratiot avenue; thence northerly along the west line of said last named highway, to the north line of section twenty-two; thence east along the north line of said section twenty-two, town seven north of range seventeen east, to the national boundary line in Lake Huron, and thence southerly along said national boundary line in Lake Huron and river St. Clair to the place of beginning.

[No. 316.]

AN ACT to detach certain territory from the township of Breitung in the county of Dickinson, and attach the same to the township of Sagola in said county.

The People of the State of Michigan enact:

Territory
detached.

SECTION 1. That the north half of township numbered forty-one north of range numbered thirty west, in Dickinson county, shall be and the same hereby is detached from the township of Breitung and attached to and hereafter shall constitute a part of the township of Sagola in said county of Dickinson.

Taxes levied,
how affected.

SEC. 2. All taxes heretofore levied upon the territory affected by this act shall be collected and be paid over to said township of Breitung, the same as though this act had not passed.

Acts repealed.

SEC. 3. All acts and parts of acts contravening any of the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 317.]

AN ACT to amend section three, chapter one; section one, chapter two; section three of chapter three; sections fourteen and sixteen of chapter fourteen; section thirty-five of chapter seventeen; and sections one and three of chapter twenty-two; and to add a new section to chapter seven to be known as section sixty-two; and to add a new chapter thereto to be known as chapter twenty-three of act number three hundred ninety of the local acts of eighteen hundred eighty-five, and the amendments thereto, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five.

The People of the State of Michigan enact:

Sections and
chapters
amended.

SECTION 1. That section three, chapter one; section one, chapter two; section three of chapter three; sections fourteen and sixteen of chapter fourteen; section thirty-five of chapter seventeen; and sections one and three of chapter twenty-two, of act number three hundred ninety of the local acts of eighteen hundred eighty-five, and the amendments thereto, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five, be and the same are amended so as to read as

hereinafter set forth; and that there be added thereto a new chapter to stand as chapter twenty-three, and one new section to stand as section sixty-two of chapter seven, said amended sections and said added chapter and section to read as follows:

CHAPTER I.

SEC. 3. The territorial limits of said city shall consist of all that tract of country in the county of St. Clair, bounded and described as follows, to wit: Commencing at a point in the national boundary line in St. Clair river where the same would be intersected by the section line projected between sections twenty-one and twenty-eight, in town six north of range seventeen east; thence running westerly along the center of the highway between said sections to its intersection with the east line of the highway along the west line of said section twenty-one; thence running north along the east line of the highway between sections twenty-one and twenty to the center line of the highway running east and west between sections sixteen and twenty-one; thence running east along the center line of said highway to the east line of the highway running north and south through the center of said section sixteen; thence north along the east line of said highway to the south line of Lapeer avenue; thence westerly along the south line of Lapeer avenue to a point where the Indian reservation line intersects said Lapeer avenue; thence in a northwesterly direction along said Indian reservation line to the south line of the Bon Homme tract; thence northeasterly along the south line of said Bon Homme tract to the center of Black river; thence up the middle line of Black river to a point where the same would be intersected by the northwest corner of the McNeil tract in the township of Fort Gratiot; thence easterly along the north line of said McNeil tract to a point where the west line of Lakeside cemetery intersects the north line of said tract; thence north along the west boundary of said Lakeside cemetery, said line being the west line of the east fractional part of section twenty-seven, in town seven north of range seventeen east, to the north line of said section twenty-seven; thence east along the north line of said section twenty-seven and the north line of said fractional section twenty-six to the westerly line of the highway known as Lakeside turnpike, or extension of Gratiot avenue; thence northerly along the west line of said last named highway, to the north line of section twenty-two; thence east along the north line of said section twenty-two, town seven north of range seventeen east, to the national boundary line in Lake Huron, and thence southerly along said national boundary line in Lake Huron and river St. Clair to the place of beginning.

CHAPTER II.

Officers to be elected. SECTION 1. The following officers of the corporation shall be elected on the city ticket at every general biennial election in said city, by the qualified voters thereof, to wit: A mayor, a city clerk, a city treasurer, and one member of the board of estimates, who shall hold their respective offices for the term

Term of office. of two years, and until their successors are elected and qualified. In each ward there shall be elected at each annual city election, by the qualified voters thereof, one alderman for the term of two years, one member of the board of estimates, and one constable for the term of one year, each: Provided, That

Proviso as to change in ward boundaries. when it becomes necessary by reason of change of boundaries of any ward, to elect two aldermen, one shall be elected for one year and one for two years; the aldermen of said city shall

Compensation of aldermen. receive, to be paid out of the city treasury, the compensation of five dollars for each and every regular meeting actually attended by them; it shall be the duty of the city clerk to file with the controller of said city, on the morning succeeding each regular meeting of the common council, a statement, showing the names of the aldermen attending such meeting.

Office of supervisor abolished. Who to represent city on board of supervisors. The office of supervisor, as heretofore existing under the provisions of this charter, is hereby abolished. The aldermen of the several wards of the city, whose term shall soonest expire, and the mayor and city attorney of said city, shall, in addition to other officers already authorized under said charter, represent said city and the several wards thereof, upon the board of supervisors, and shall perform all the duties pertaining to the supervisors of townships, not inconsistent with the terms of this charter, and they are hereby vested with all the powers and duties of the supervisors as members of said board and shall attend all sessions thereof.

CHAPTER III.

Annual city election. SEC. 3. The annual city election shall be held on the first Tuesday after the first Monday in November of each year:

Proviso. Provided, That the city officers, to wit: The mayor, city clerk, treasurer and member of the board of estimates shall be elected on the first Tuesday after the first Monday in November at each general biennial election, and all officers except those elected to fill vacancies, shall assume the duties of the office to which he is elected, on the first Monday of January following, except the city treasurer, who shall assume the duties of his office on the first Monday of April, following:

Proviso. Provided, That the present mayor, city clerk and member of the board of estimates whose term of office would, under the present charter, expire on the first Monday of January, nineteen hundred two, shall expire on the first Monday in January, nineteen hundred three. Each ward shall be an election district, and such election shall be held at such places in each ward as the common council shall designate; each elector

Ward to be an election district.

shall vote in the ward in which he resides, and the residence of an elector, under the act, shall be the ward in which he lodges: Provided, That the common council shall have the power to designate and define the boundaries of two election districts in any of the wards of said city, if the number of votes in such ward shall exceed four hundred, such number to be determined by the number of votes cast at the last preceding election. In case of two election districts being established in any of the wards of said city, it shall be the duty of the common council to appoint the necessary boards of registration and boards of election inspectors and provide for the holding of election in such districts.

Residence of elector.

Proviso. Power of council as to election districts in wards.

CHAPTER VII.

SEC. 62. The common council shall have power to prohibit the maintenance of any saloon, or other place where intoxicating liquors are kept for sale at retail, within six hundred feet of any public school building within the said city.

May prohibit sale of liquors, etc.

CHAPTER XIV.

SEC. 14. Said justices of the peace shall have exclusive jurisdiction of all such civil actions and proceedings, as by the general laws of the State are within the jurisdiction of justices of the peace. The police justice and assistant police justice elected in the city of Port Huron and duly qualified according to law shall have original jurisdiction of all civil actions wherein the debt or damages do not exceed the sum of one hundred dollars, and concurrent jurisdiction in all civil actions wherein the debt or damages do not exceed the sum of five hundred dollars, except as provided in section seven hundred and four of the compiled laws of the State of Michigan of eighteen hundred ninety-seven. The justices of the peace known as police justice and assistant police justice now in office shall continue to hold their offices until the expiration of their respective terms, and until their successors are elected and qualified as herein provided.

Exclusive jurisdiction.

Jurisdiction of police justice.

Justices in office not affected.

SEC. 16. Before any civil action or proceeding, except proceedings in garnishment, shall be commenced in said justice's court there shall be filed with such justice by the party commencing such action, a precept for the writ desired to be issued and the party commencing such proceeding shall at the same time pay or cause to be paid to the clerk, the sum of fifty cents, and before the trial of any such action or proceeding shall be commenced the further sum of fifty cents shall be paid to said clerk by the party bringing such action, but in cases of non-suit no judgment fee shall be required. In all cases actually contested by the defendant there shall be paid to said clerk by the party bringing such action the sum of one

Justice fees, etc.

dollar additional. If more than one day is occupied in the trial of any case, there shall be paid to the clerk the sum of one dollar additional, by the party bringing such action, for each and every day or part of a day so occupied. Whenever after disclosure filed in garnishment a summons to show cause shall be desired, the party desiring such summons shall pay or cause to be paid to the clerk of said court the sum of twenty-five cents and before the trial of the issue under such summons to show cause shall be commenced, the further sum of twenty-five cents shall be paid by the party prosecuting such action. The amounts herein provided to be paid shall be in lieu of all other justice's fees, and there shall be no charge for issuing executions. No process shall be issued out of said court until the provisions of this section shall have been complied with. Security for costs may be required as under the general laws of the State.

Security for
costs.

CHAPTER XVII.

How may pro-
vide for re-
paving fund.

May issue
bonds.
Limit of
expense.

SEC. 35. The common council shall, with the approval of the board of estimates, have power to provide for the repaving fund by borrowing upon the faith and credit of the city, and upon the best terms that can be made, such sums of money as shall be deemed necessary and expedient, and to issue the bonds of said city therefor. That the cost of repaving done in any one year shall not exceed the sum of forty thousand dollars, and that there shall not be outstanding at any one time repaving bonds to exceed the sum of one hundred thousand dollars.

CHAPTER XXII.

Police force,
management
and control of.

Police com-
mission, of
whom to
consist.

Term for
which
appointed.

Vacancies,
how filled.
Board to be
non-partisan.

Term of office.

SECTION 1. The police force of the city of Port Huron, as now organized, shall be under the control and management of a police commission, hereby created; such commission shall consist of the mayor, who shall be ex officio member and chairman of said board, and four other persons, one of whom shall be appointed for one year, one for two years, one for three years, and one for four years, from the first Monday in May; and annually thereafter, one commissioner shall be appointed; they shall be known as police commissioners; they shall be appointed by the common council upon the recommendation of the mayor, and all vacancies shall be filled in such manner within thirty days after such vacancy occurs. Such police commissioners shall be selected irrespective of politics, and not more than two of them shall be identified with the same political party; they shall hold office for the term of four years and until their successors are appointed, and qualified, and when so appointed, they shall qualify by taking the same official oath as other officers of said city.

SEC. 3. The chief of police, policemen, regular and extra, and watchmen who shall be appointed from time to time by said police commission shall possess and exercise the same power as conservators of the peace which township constables exercise and possess under the general laws of the State. Said commission may adopt such rules and regulations for the government, disciplining and managing said force and the members thereof not inconsistent with the charter of said city, as they shall deem proper and they shall have full power to remove the chief of police, patrolmen, policemen, detectives, truant officers, regular or special, by a majority vote of said commission.

Powers of
chief of
police.

Commission
may adopt
rules, etc.

CHAPTER XXIII.

SECTION 1. That the public parks and boulevards of said city shall be under the control and management of a commission hereby created, who shall be known as and styled "commissioners of parks and boulevards," which shall consist of the mayor, who shall be ex-officio a member and chairman of said board, and four other electors and tax-payers of said city, which are to be appointed within ten days from the passage of this act, one of whom shall be appointed for one year, one for two years, one for three years, and one for four years from the first Monday in May, and annually thereafter one commissioner shall be appointed; they shall be appointed by the common council upon the recommendation of the mayor, and all vacancies shall be filled in such manner within thirty days after such vacancy shall occur. They shall hold office for the term of four years and until their successors are appointed and qualified, and when so appointed they shall qualify by taking the same official oath as other officers of said city; said commissioners to receive no compensation for their services and the city clerk shall be ex-officio clerk of said commission.

Parks and
boulevards,
control of.

Commission,
of whom to
consist.

Term for
which
appointed.

Vacancies,
how filled.
Term of office.

Compensa-
tion.

SEC. 2. Such commissioners shall have the exclusive control and management, and shall have charge of the improvements of all parks, boulevards, and public grounds of said city, and of all parks, boulevards, or public grounds as may hereafter be acquired, laid out, purchased or dedicated for public use in said city. The authority hereby conferred shall not be construed as giving any charge or control to said commissioners over, and to the improvement of any of the public streets or alleys. When the estimated costs of any work or improvement ordered by said commissioners shall exceed the sum of two hundred and fifty dollars the same shall be done by contract after advertisement for bids in at least one daily paper printed in said city, for at least seven days.

Commission
to have exclu-
sive control.

When im-
provement to
be done by
contract.

SEC. 3. Said commissioners may make all needful rules and regulations for the management, maintenance and care of the said parks, public grounds and boulevards and (regu-

Make rules
and regula-
tions.

Council may
provide pro-
tection, etc.,
by ordinance.

Police may be
detailed for
service.

To appoint
superintend-
ent.

To be vested
with police
authority.

Salary.

Annual ex-
pense, esti-
mate to be
made to
council.

lating) regulate their use, and the common council of said city may provide by ordinance for the observance and enforcement of any other rules and regulations duly made by said commissioners under the provisions of this act. And said common council may by ordinance provide for the protection and management of said public grounds, parks and boulevards and any other property in charge of said commissioners against any destruction or injury, and prevent the destruction or injury to or taking of any trees, shrubs, plants, flowers or other things set out, planted, or used by said commissioners in beautifying, improving or ornamenting said parks, boulevards or other public grounds, and prevent any disorder or disturbance on or about the said parks, boulevards or other public grounds, or any encroachment thereon or interference with the quiet and peaceable use and enjoyment of the same, for the purposes for which the same were established and maintained; said ordinance may provide for the punishment for the violation of any of their provisions the same as for the violation of any of the ordinances of said city. The board of police commissioners upon the request of the said "commissioners of parks and boulevards" shall detail for service in any of the grounds in the charge of said commissioners of parks and boulevards so many of the police officers as may be necessary to maintain order and protect the property thereof and any policeman on duty on said grounds may remove therefrom any person who may violate any of the rules of the said commissioners or any of the ordinances of said city adopted as aforesaid, relating to said parks, boulevards or other public grounds.

SEC. 4. Said commissioners shall on the first Monday in June of each year, appoint a person who shall be known as the superintendent of parks, and who shall superintend the improvements, adornment, protection and care of all the public parks of the city, under the direction and management of said commission. Such superintendent of parks is also hereby vested with the power of arrest and shall possess the same power as a conservator of the peace or constable possesses under the laws of the State, for any offenses, misdemeanors, depredations or violation of the rules and regulations of said "commissioners of parks and boulevards," and other public grounds, or the violation of any ordinance of the city of Port Huron, committed upon any of the public parks of the city. Said superintendent of parks to receive a salary to be fixed and determined upon by the common council.

SEC. 5. The commissioners shall annually, before the first day of April, prepare and submit to the common council an estimate of the amount of money that shall be raised for the ensuing fiscal year for the purpose of maintaining and improving the grounds under their charge, which estimates shall specify the sums desired for each of the several objects of expenditure, and at the same time make a report to the com-

mon council of the amount of revenue and income which it is estimated would be received during the said fiscal year from any source.

SEC. 6. The common council of said city, with the consent of the board of estimates, may cause to be placed upon the general tax roll, and raised by tax, the same as other taxes, such sum as they may think proper to be raised for each of the several objects of expenditure, estimated as aforesaid, the maintenance and improvement of said parks, public grounds and boulevards, or for the payment of any other expenses which said commissioners are by this act authorized to incur. The moneys so raised, as well as any other moneys received from any source, shall be paid into the city treasury and credited to a fund to be styled the "park and boulevard fund" and shall be expended and paid out only for the purposes approved by the said common council and board of estimates.

May raise money by general tax.

Moneys, how credited.

SEC. 7. The commissioners shall have the power to expend and pay out of the moneys belonging to said fund for the purpose for which they are raised respectively, by warrants drawn upon said fund, by the controller upon the city treasurer. No debt or liability of any kind shall be created by said commissioners during any one fiscal year in excess of the moneys then in said fund or which may have been authorized to be raised by said common council for such year. The commissioners may receive donations or bequests of money or property, which shall be used for the maintenance and improvement of the grounds under their charge, or either of them, as contemplated by such donation and bequest.

May pay out moneys.

Liabilities, etc., not to exceed fund.

May receive gifts, etc.

SEC. 8. Said commissioners shall receive no compensation for their services, and any one of them shall vacate his office in the event of his accepting or holding any other civil office; and any commissioner who shall be nominated or appointed for any office and who shall not decline the said nomination or appointment within ten days after he shall have been informed thereof, shall be deemed to have vacated his office.

To receive no compensation.

SEC. 9. The commissioners shall make an annual report to the common council of their doings, and of the expenditures made by them, and showing the situation and condition of affairs under their control. The common council may require a report from the said commissioners at any time, and the records, books, papers and accounts of the commission shall at all times be subject to the inspection of the mayor, controller or any committee appointed by the common council for that purpose.

To make annual report to council.

SEC. 10. The grounds of which the commissioners may have control shall be used and enjoyed solely for the purposes for which they were established: Provided, That privileges for the sale of refreshments, soft drinks, candy, popcorn, etc., the hiring of boats and vehicles and other like purposes such as are usual in public parks, may be let by the commissioners for the current year, but the same shall be exercised and per-

Use of grounds.

Proviso as to privileges.

mitted only upon the same being subject to their supervision and direction and to such orders, rules and regulations as they may make at any time.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 318.]

AN ACT to authorize the township of Lawrence in the county of Van Buren, State of Michigan, to borrow money and issue bonds therefor, the proceeds of which are to be used to erect and build a township hall for the use of said township.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

Proviso as to
endorsement
of electors.

Question to
be submitted
to electors.

Special elec-
tion, when
and how
called.

Form of ballot.

When and
how bonds
may be issued.

SECTION 1. That the township of Lawrence in the county of Van Buren shall be and is hereby authorized to borrow money on the faith and credit of said township, and issue bonds therefor to an amount not to exceed eight thousand dollars for the purpose of erecting and building a town hall for the use of the said township: Provided, That a majority of the electors of said township voting at an election as hereinafter provided shall vote in favor of said loan in the manner specified in this act and not otherwise.

SEC. 2. The question of raising the said money and issuing such bonds shall be submitted by the township board of said township to the electors thereof, at any regular annual election or on filing with the said board of a petition signed by not less than twelve electors of said township asking that an election be held by virtue of this act for the purpose herein specified and stating the amount desired to be borrowed for the purposes aforesaid. On receiving the said petition the township board shall call a special election and the vote shall be taken as near as may be in accordance with the provisions of the statutes for holding special elections for the purpose of raising money by bonding townships. The proceedings at such special election shall be the same as at general elections held within said township, except that those electors voting for the said loan shall have written or printed on their ballots the words: "For the loan ofdollars for town hall," and those voting against the loan shall have written or printed on their ballots the words: "Against the loan ofdollars for town hall."

SEC. 3. If said loan shall be authorized by a majority of the electors voting at such election, said bonds may be issued in such sums not exceeding the amount authorized by such

election, and payable at such times with such rates of interest, Interest.
 not exceeding six per centum per annum, as said township
 board shall direct, and shall be signed by the supervisor of How signed.
 said township and countersigned by the clerk of said town-
 ship, and negotiated by and under the direction of said town-
 ship board, and the moneys raised therefrom shall be applied,
 in such manner as the township board shall determine, to the
 erection and building of a town hall for the use of said town-
 ship. And the said township board shall have the power and Provision for
 it shall be their duty to raise by taxes upon the taxable payment.
 property of said township such sums as shall be sufficient to
 pay the amount of said bonds and the interest thereon from
 time to time as the same shall become due.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 319.]

AN ACT to provide for the organization, maintenance and
 management of a free public library in the city of Sault
 Ste. Marie.

The People of the State of Michigan enact:

SECTION 1. A board of trustees of the public library of the Board of
 city of Sault Ste. Marie is hereby established, and shall con- trustees, who
 sist of five members who are resident citizens of said city. to constitute.
 The board of trustees, established by this act, shall consist
 of the following named persons, and for the respective terms,
 viz.: Henry W. Seymour for the term of five years from the
 first day of May, nineteen hundred one; Joseph H. Steere for
 the term of four years; Otto Fowle for the term of three
 years; Horace M. Oren for the term of two years and Thomas
 R. Easterday for the term of one year from said date. One
 member shall be appointed annually thereafter by the council Subsequent
 on the first Monday in May, or as soon thereafter as may be, appointments.
 for the term of five years next following; and any vacancies Term of office.
 occurring in said board of trustees from death, removal from
 said city, resignation or otherwise shall be filled as soon there-
 after as may be by appointment in the same manner for the
 remainder of the unexpired term, and each member so ap-
 pointed shall hold office until his successor is appointed and
 qualified, and shall before entering upon the duties of his
 office, take and subscribe the constitutional oath of office, To subscribe
 which shall be filed in the office of the recorder of said city. oath.
 None of said trustees shall receive any pay or compensation To receive no
 for their services, and any of said trustees may be removed compensation.

by the common council for cause, in the same manner as other officers of said municipality.

Body corporate, name and style.

SEC. 2. Said board of trustees shall be a body corporate by the name and style of "the board of trustees of the Carnegie public library of the city of Sault Ste. Marie," and by that name may sue and be sued, acquire, hold and convey property, and be subject to all the general laws of the State relative to corporations, so far as the same may be applicable, and upon completion of a suitable library building and ac-

Books, papers, etc., to be transferred.

ceptance of the same from the contractors, the books, pamphlets, papers, book cases and other property now belonging to the district library of Sault Ste. Marie, and which is now controlled by the board of education, be transferred to the care, custody and control of said trustees of the said public library, and the title thereto shall be thereafter vested in said board of trustees; and thereafter all the rights, privileges and duties conferred upon the board of education of said city under section eleven of chapter twenty-five of act five hundred and thirty-three of the local acts of eighteen hundred and eighty-seven, as amended by act number four hundred and fifty-five of the local acts of eighteen hundred and ninety-seven,

Title, etc., how to vest.

shall be vested in said board of trustees; and all public money which is now or shall be hereafter appropriated by law to the support of a public library in Sault Ste. Marie, shall be expended under the direction of said trustees and the title to the property therewith purchased shall vest in said board of trustees. The board of trustees may receive by gift, grant or otherwise any sum of money and property for the establishment and maintenance of such public library as it may deem best. The treasurer of said city shall be the treasurer of said board and no money legally appropriated for the support of said public library shall be paid out by said treasurer, except in pursuance of an order of said board of trustees, upon a warrant signed by the president of said board of trustees and countersigned by the secretary thereof. The said board of trustees shall not expend any of said moneys for any purpose other than the building and maintaining of said library. The common council of said city shall, annually after the completion and acceptance of a suitable library building, raise by tax on the real and personal property within said city such sum of money for library purposes as the board of trustees shall determine and certify to the comptroller on or before the fifteenth day of September in each year, not exceeding one-half of one mill on each dollar of the assessed valuation thereof: Provided however, That the total sum raised in any one year from all sources shall not be less than the sum of three thousand dollars, and shall be used for the purpose of furnishing and maintaining said library.

Public money, how expended.

May receive gifts, etc.

Who to be treasurer, how money to be paid out.

Money, how used.

Council to raise money by tax.

Proviso as to amount.

Board to elect officers.

SEC. 3. The board of trustees shall, as early as may be after this act takes effect, and annually thereafter as soon as may be after the annual appointment on the first Monday

in May in each year, organize and elect one of their number president, and shall also elect one of their number secretary, who shall hold their respective offices for one year thereafter and until their successors shall be elected and qualified. Vacancies in either of said offices shall be filled by said board. And said board of trustees may make such rules and regulations as may be deemed necessary for its government. A majority of the members of said board shall constitute a quorum for the transaction of any and all business of said board.

Vacancies,
how filled.
May make
rules, etc.

Quorum.

SEC. 4. For the due and proper care and use of said public library said board of trustees shall provide suitable rooms, by rental or otherwise, in which the same may be kept. They shall have power to receive donations of money or property for the erection of a public library and to expend the same for such purpose, and designate such library building by such name as the board of trustees may determine. They shall keep and maintain said library as a free circulating library for the use of the inhabitants of the city of Sault Ste. Marie, and may maintain a public reading room in connection therewith. And they shall make all such reasonable rules and regulations relative to the use of said library and reading room as they may deem expedient and for the preservation of books, maps, charts and pamphlets in said city, as well as chairs, tables, desks, carpets, etc., therein. Said board shall employ a librarian and such other employees as may be necessary for the proper care of said library and the use thereof by the people of said city. All employees shall be under the control of said board who shall fix their salaries and designate their duties, and may discharge them at their pleasure.

Powers and
duties of
board.

Shall employ
librarian, etc.

SEC. 5. Annually in the month of March, said board of trustees shall make a report to the common council showing the condition of the library and the receipts and disbursements of all moneys received and disbursed by it during the year.

To report
annually to
council.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 320.]

AN ACT to authorize the village of Lake Linden, in the county of Houghton and State of Michigan, to borrow money and issue bonds therefor to the amount of seventy-five thousand dollars, for the purposes of refunding the bonded indebtedness of said village now amounting to the sum of twenty-five thousand dollars, constructing sewers and establishing a sewer system for said village and for erecting a fire hall for the use of said village and its fire apparatus.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

SECTION 1. The village council of the village of Lake Linden, in the county of Houghton and State of Michigan, is hereby authorized and empowered to borrow on the faith and credit of said village a sum not to exceed the sum of seventy-five thousand dollars, for a term of not less than ten nor more than thirty years, at a rate of interest not exceeding six per cent per annum payable annually; and to execute and issue the coupon bonds of said village therefor in such form as the said council may by a two-thirds vote of all the members elect determine; and to provide for the payment of the same, which bonds shall in no case be disposed of at less than their par value and shall be payable at such place or places as said council shall direct.

Rate of
interest.

How nego-
tiated.

Moneys bor-
rowed, how
used.

SEC. 2. All moneys borrowed under the provisions of this act shall be used:

First; For the refunding of the bonded indebtedness of said village now existing to the amount of twenty-five thousand dollars:

Second; For the constructing of sewers and establishing a sewer system for the use of said village under such rules and regulations as said council shall prescribe:

Third; For the erecting of a fire hall for the use of said village and its fire apparatus, said fire hall to cost not to exceed the sum of fifteen thousand dollars and to be constructed according to plans and under the direction of the common council of said village.

Tax levy for
payment.

SEC. 3. It shall be the duty of said council to provide by tax upon the taxable property of said village or from any fund it may have and not otherwise appropriated, for the payment of said sum of seventy-five thousand dollars and interest upon all bonds issued under authority of this act as they may become due: Provided, That no bonds shall be issued or money borrowed for such purposes until the question shall be submitted to the electors of the said village at the annual election of said village or at a special election to be called by the council for that purpose; and a (two-thirds) majority of the electors voting on such question at such election, voting therefor, shall decide.

Proviso as to
submission to
electors.

This act is ordered to take immediate effect.

Approved March 1, 1901.

[No. 321.]

AN ACT authorizing the township of Montrose in the county of Genesee to issue bonds to the amount of not more than ten thousand dollars, for the payment for the construction of a bridge or bridges over the Flint river in said township and to provide for the manner of issuing the same.

The People of the State of Michigan enact:

SECTION 1. The township of Montrose, in the county of Genesee, is hereby authorized and empowered to issue bonds upon the faith and credit of such township, to an amount not exceeding ten thousand dollars, and to use or negotiate the same for the purpose of raising money to pay for the construction of a bridge or bridges over the Flint river in said township upon the conditions, under the circumstances and in the manner hereinafter provided.

Bond issue,
amount, pur-
pose, etc.

SEC. 2. No such bonds shall be issued unless a majority of the qualified electors of said township, voting at a township meeting, a general election or a special election duly called to be held at a time to be fixed by the township board of said township, not more than sixty days after said board shall have decided to call said election, which shall be held at the same place as the last preceding township election was held, and conducted in the manner hereinafter provided, shall so determine; and the said township board is hereby authorized and empowered to submit the question of said bonding to the qualified electors of said township, giving due notice thereof by causing the date, place of voting and object of said election to be stated in written or printed notices, to be posted in five public places in said township, at least ten days before the time fixed for such election, which notice shall state the amount of money proposed to be raised by such bonding, and the purpose to which it shall be applied.

To be endorsed
by electors.

Special elec-
tion, where
and when
held.

Notice of,
how given.

SEC. 3. The vote upon such proposition shall be by printed ballot, in the following words: "For issuing township bonds not exceeding ten thousand dollars for the purpose of constructing a bridge or bridges over the Flint river, for a time not exceeding twenty years and at a rate of interest not exceeding five per cent. (Yes)." "For issuing township bonds not exceeding ten thousand dollars for the purpose of constructing a bridge over the Flint river, for a time not exceeding twenty years and at a rate of interest not exceeding five per cent. (No)." Such election shall be conducted and the votes thereat canvassed in all respects as in other township elections, and immediately upon the conclusion of such canvass, the inspectors of election shall make and sign a certificate showing the whole number of votes cast upon such proposition and the number for and against it. Said inspectors shall endorse upon such certificate a declaration in

Form of ballot.

Idem.

Election, how
conducted,
etc.

	writing of the result of such election, which certificate and declaration shall then be filed with the clerk of said township, and a copy thereof certified to by said township clerk shall be filed in the office of the clerk of Genesee county.
When and how issued.	SEC. 4. If the issue of bonds shall be authorized by vote of the electors of said township, such bonds may be issued in such sums not exceeding the amount hereby authorized, payable at such time and place not exceeding twenty years from the date of such bonds, and with such rate of interest not exceeding five per cent. per annum, as such township board shall direct by resolution. Said bonds shall be signed by the township board and countersigned by the township treasurer and negotiated by and under the direction of said board, and the moneys arising therefrom shall be used in paying for the construction of said bridge or bridges before mentioned.
Interest.	
How signed.	
Payment, how provided for.	SEC. 5. It shall be the duty of said township board to provide for the raising by tax, upon the taxable property of such township, such sums of money annually as shall be sufficient to pay the amount of said bonds and the interest thereon, as fast as the same shall become due.
Not to be sold for less than par.	SEC. 6. No bonds issued under and by virtue of this act shall be negotiated at less than their par value. This act is ordered to take immediate effect. Approved March 1, 1901.

[No. 322.]

AN ACT to change the name of Eva S. Garlinghouse to Eva A. Stewart.

The People of the State of Michigan enact:

Name changed.	SECTION 1. The name of Eva S. Garlinghouse is hereby changed to Eva A. Stewart. This act is ordered to take immediate effect. Approved March 6, 1901.
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[No. 323.]

AN ACT to change the name of Mary E. Furness to Mary E. Lake.

The People of the State of Michigan enact:

SECTION 1. That the name of Mary E. Furness is hereby ^{Name} changed to Mary E. Lake. ^{changed.}

This act is ordered to take immediate effect.

Approved March 6, 1901.

[No. 324.]

AN ACT to amend sections three and four, of chapter eight of act number three hundred twenty-six, of the local acts of eighteen hundred eighty-three, entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June seven, eighteen hundred eighty-three.

The People of the State of Michigan enact:

SECTION 1. That sections three and four of chapter eight of act number three hundred twenty-six, of the local acts of eighteen hundred eighty-three, entitled, "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June seven, eighteen hundred eighty-three, be and the same are hereby ^{Sections} amended to read as follows: ^{amended.}

SEC. 3. All members of said board shall be resident electors of said city and hold their office until their successors shall be elected and qualified. The following officers of said city shall be ex-officio members of said board, and shall have the right to participate in its deliberations, but shall not have the right to vote, to wit: The president and chairman of the committee on ways and means of the common council, the city controller, city counsellor, the president of the board of education, board of water commissioners, board of police commissioners, board of poor commissioners, president of the fire commission, the senior members, being those whose terms will soonest expire, of the board of inspectors of the house of correction and of the board of public works, or the legal successor or successors in office of any such boards. All members of said board shall, before entering upon the discharge of their duties, take and subscribe and file in the office of the city clerk, the same oath of office as is prescribed in the

^{Members to be}
^{resident}
^{electors.}
^{Who to be}
^{ex-officio}
^{members.}

^{To subscribe}
^{oath.}

100

Compensation.	charter of said city to be taken by city officers. The
To elect president.	members of said board shall receive as compensation five dollars for each daily session of the board. Said board shall elect one of their number president of said board, who shall preside at its meetings, and who shall hold his office until the next election of members: Provided, That if he be absent, or incapacitated from performing his duties, the board may appoint a president pro tempore. The city clerk shall be ex-officio secretary of said board, and shall keep a record of its proceedings. The first meeting of said board shall be held annually on the first Monday in March, at ten o'clock in the forenoon, and at such other times as the common council may by resolution or ordinance provide. The meetings of said board shall be held in a suitable room to be provided by the common council, and if no provisions be made, then the same shall be held in the common council chamber. The board may adjourn from time to time: Provided, That the meeting which shall be held annually to consider the estimates for the annual general taxes for city purposes shall not be adjourned to a time subsequent to the twenty-fifth day of April. The board shall have the right to call upon the common council or upon any officers or boards of the corporation for further reports, or for any information which it may require for the purpose of estimating any amount to be raised, or in reference to any other matter pending before such board. It shall also have the right to inspect the official books and papers of said officers or boards.
Proviso.	
Ex-officio secretary.	
Meetings, when and where held.	
Proviso as to meeting to consider estimates.	
Power of board relative to reports, etc.	
Estimates for money, to be submitted to board of estimates.	SEC. 4. Before any moneys shall be raised or taxes levied and collected for the purpose of the several funds mentioned in the charter of the city of Detroit, and acts amendatory thereof, except interest and sinking funds, for the purpose for which moneys are required to be raised by other acts relating to said city, which require estimates for taxes to be submitted by the city controller or other officers and boards, the estimates of the amount of moneys required for such funds, or purposes by tax, shall be submitted to said board of estimates; and before any bonds shall be issued said issue shall be authorized by said board of estimates. The estimates for the general city taxes shall be acted upon by the common council, as provided by law, and shall be submitted to said board of estimates in time to be considered by the board, on or before said twenty-fifth day of April. Said board shall carefully consider all estimates hereby required by this act, to be submitted to it, of moneys to be raised as aforesaid, and shall approve or disapprove the same. It may decrease the amount to be raised, but shall not increase the same. The said board shall have the power and it shall be its duty, after careful consideration of the various estimates referred to it, if it shall deem it advisable so to do, to disallow any item, items or parts of items, in the different funds as well as in the gross amounts thereof, as the said board may deem ad-
Board of estimates to authorize bond issue. Estimates for general taxes, how considered, etc.	
Power of board to disallow items, etc.	

NOT

visable, and it shall be unlawful for the common council of said city to create any expenditure or expend any moneys as to items specifically disallowed and disapproved by such board of estimates. The said board of estimates may authorize the issuing of bonds by a majority vote of all the members elect, in all cases whenever such proposition has been duly and lawfully referred to said board for its action, by the said common council, and a majority vote of all the members elect of said board shall also be required to authorize or approve of any such estimates for different funds, or any part thereof, to be raised by taxation.

When unlawful for council to create expenditures.

May authorize bond issue by majority vote.

This act is ordered to take immediate effect.

Became a law without the signature of the Governor March 9, 1901.

[No. 325.]

AN ACT to prohibit the sale or giving away of intoxicating liquors and the maintenance of saloons or other places of entertainment in which intoxicating liquors are sold, within two miles of the center of Cleon township, Manistee county, Michigan.

The People of the State of Michigan enact:

SECTION 1. That it shall not be lawful to establish or maintain a saloon or other place of entertainment in which intoxicating liquors are sold or kept for sale, nor to give away, or dispose of, any such liquors within two miles of the center of Cleon township, Manistee county, Michigan.

Unlawful to maintain saloon.

SEC. 2. It shall not be lawful for any person, directly or indirectly, by himself, his clerk, agent, or servant, at any time, to sell, furnish, give, or deliver, any spirituous, malt, brewed, fermented, or vinous liquors, or any mixed liquors, a part of which is spirituous, malt, brewed, fermented, or vinous to any person within two miles of the center of said Cleon township, unless the same is prescribed and furnished upon a written prescription signed by a legally registered physician.

Unlawful to furnish liquors except upon prescription.

SEC. 3. If any person shall violate any of the provisions of the foregoing sections, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and the costs of prosecution, and imprisoned in the county jail not less than ten days, nor more than sixty days, in the discretion of the court, and in such case, if such fine and costs shall not be paid at the time such imprisonment expires, the person serving such sentence shall be

Violation a misdemeanor.

Penalty.

Proviso. further imprisoned in jail until such fine and costs are fully paid: Provided, That in no case shall the whole term of imprisonment exceed ninety days.

Each violation a separate offense. SEC. 4. Each violation of any of the provisions of this act shall be construed to constitute a separate and complete offense, and for each violation on the same day, or on different days, the person or persons violating shall be liable to the forfeitures and penalties herein provided.

This act is ordered to take immediate effect.

Became a law without the signature of the Governor March 9, 1901.

[No. 326.]

AN ACT authorizing the township of Taymouth, in the county of Saginaw, to issue bonds to the amount of not more than twenty-five hundred dollars for the payment for the construction of a bridge over the Flint river at a point westerly from the location of the township hall in said township, on the north half of section twenty-one of said township, and to provide for the manner of issuing the same.

The People of the State of Michigan enact:

May issue bonds, amount of, how used. SECTION 1. The township of Taymouth, in the county of Saginaw, is hereby authorized and empowered to issue bonds upon the faith and credit of such township, to an amount not exceeding twenty-five hundred dollars, and to use or negotiate the same for the purpose of raising money to pay for the construction of a bridge over the Flint river, on section twenty-one, at a point westerly from the location of the township hall in said township, on the north half of said section, upon the conditions, under the circumstances and in the manner hereinafter provided.

To be authorized by electors. SEC. 2. No such bonds shall be issued unless a majority of the qualified electors of said township, voting at the township meeting, a general election or a special election duly called to be held at a time to be fixed by the township board of said township, not more than sixty days after said board shall have decided to call such election, which shall be held at the same place as the last preceding township election was held, and conducted in the manner hereinafter provided, shall so determine; and the said township board is hereby authorized and empowered to submit the question of said bonding to the qualified electors of said township, giving due notice thereof, by causing the date, place of voting and object of said election to be stated in written or printed notices, to be posted

Notice of election, how posted, etc.

in five public places in said township, at least ten days before the time fixed for such election, which notices shall state the amount of money proposed to be raised by such bonding, and the purpose to which it shall be applied.

SEC. 3. The voting upon such proposition shall be by printed ballot, or in the usual manner on the Abbot voting machine, in the following words: "For issuing township bonds, not exceeding twenty-five hundred dollars, for the purpose of constructing a bridge over the Flint river, at a point westerly from the location of the township hall in said township, on the north half of section twenty-one of said township, for a time not exceeding five years, and a rate of interest not exceeding five per cent. (Yes)." "For issuing township bonds, not exceeding twenty-five hundred dollars, for the purpose of constructing a bridge over the Flint river, at a point westerly from the location of the township hall in said township, on the north half of section twenty-one, in said township, for a time not exceeding five years, and at a rate of interest not exceeding five per cent. (No)." Such election shall be conducted and the votes thereat canvassed in all respects as in other township elections, and immediately upon the conclusion of such canvass the inspectors of election shall make and sign a certificate showing the whole number of votes cast upon such proposition, and the number for and against it. Said inspectors shall endorse upon such certificate a declaration in writing of the result of such election, which certificate and declaration shall then be filed with the clerk of such township, and a copy thereof certified to said township clerk shall be filed in the office of the clerk of Saginaw county.

Voting to be
by ballot.

Form of
ballot.

Idem.

Election, how
conducted.

SEC. 4. If such issue of bonds shall be authorized by vote of electors of said township, such bonds may be issued in such sums, not exceeding the amount hereby authorized, payable at such time and place not exceeding five years from the date of such bonds, and with such rate of interest, not exceeding five per cent. per annum, as such township board shall direct by resolution. Said bonds shall be signed by the township board and countersigned by the township treasurer and negotiated by and under the direction of said board, and the moneys arising therefrom shall be used in paying for the construction of the said bridge before mentioned.

Bonds, how
issued.
Interest, etc.

SEC. 5. It shall be the duty of the said township board to provide for the raising by tax upon the taxable property of such township such sums of money annually as shall be sufficient to pay the amount of said bonds and the interest thereon as fast as the same shall become due.

Tax for pay-
ment of.

SEC. 6. No bonds issued under and by virtue of this act shall be negotiated at less than their par value.

How
negotiated.

This act is ordered to take immediate effect.

Approved March 12, 1901.

[No. 327.]

AN ACT to authorize and empower the board of trustees of the public schools of Highland Park, Wayne county, to borrow six thousand dollars, for the purpose of refunding a loan of six thousand dollars, made on the eighth day of December, A. D. eighteen hundred ninety-one, pursuant to act number three hundred twelve of the local acts of eighteen hundred ninety-one, entitled "An act to incorporate the public schools of Highland Park, Wayne county," and to issue bonds therefor.

The People of the State of Michigan enact:

May borrow
money.

SECTION 1. The board of trustees of the public schools of Highland Park, Wayne county, is hereby authorized and empowered to borrow six thousand dollars, for the purpose of refunding a loan of six thousand dollars, made on the eighth day of December, A. D. eighteen hundred ninety-one, pursuant to act number three hundred twelve, of the local acts of eighteen hundred ninety-one, entitled "An act to incorporate the public schools of Highland Park, Wayne county."

May issue
bonds to
secure loan.

SEC. 2. To secure such loan, said board of trustees may issue six bonds, in the name of the public schools of Highland Park, and pledge the credit of the public schools of Highland Park for the payment thereof; each of said bonds shall be for one thousand dollars, all to mature on the eighth day of December, A. D. nineteen hundred eleven. Said bonds to draw interest at the rate of five per centum per annum, payable annually from date of issue.

Rate of
interest.

This act is ordered to take immediate effect.

Approved March 15, 1901.

[No. 328.]

AN ACT providing for the appointment, fixing the compensation, and defining the duties of stenographer for the probate court for the county of Lapeer, and for the taking and transcribing of testimony on examination of persons charged with criminal offenses in the county of Lapeer.

The People of the State of Michigan enact:

May appoint
stenographer.

SECTION 1. That the judge of probate and prosecuting attorney of the county of Lapeer may appoint a stenographer for the probate court of said county of Lapeer, who shall also take and transcribe the testimony on examination of persons charged with criminal offenses, as hereinafter provided.

SEC. 2. The person so appointed shall hold office during Term of office. the pleasure of the judge of probate and prosecuting attorney.

SEC. 3. It shall be the duty of the stenographer so ap- Duty. pointed to attend upon the probate court in all cases when so directed by the judge thereof, or at the request of either of the parties to a cause in said court, and take full stenographic notes of all the testimony and proceedings in such case or cases.

SEC. 4. Whenever any person charged with an offense is Idem. held for examination before any justice of the peace in and for said county of Lapeer, it shall be the duty of the said stenographer, if so requested by the prosecuting attorney of said county, to attend upon such examination and take full stenographic notes of the testimony and proceedings thereat. Said stenographer shall also, upon the request of the prosecuting attorney, attend examinations before coroners and shall take such stenographic notes as required by the prosecuting attorney in such examinations, and shall receive such compensation therefor as hereinafter provided for examinations before justices of the peace.

SEC. 5. The stenographer shall, within such reasonable To transcribe notes and make copies. time as the prosecuting attorney shall direct, transcribe his notes so taken on any such examination, making two copies thereof. One copy shall be delivered to the prosecuting attorney and one copy shall be returned to the justice before whom such examination shall have been held, which transcript shall be filed by said justice as a part of his official returns on said examination: Provido as to certifying to transcript. Provided, That the stenographer shall certify that the testimony so taken is a correct and complete transcript of all the testimony and proceedings on such examination. And it shall not be necessary that the testimony so taken be read over to the witness or witnesses or that they shall sign the same.

SEC. 6. If the stenographer so appointed under this act shall be occupied in either of said courts, and his services shall at the same time be required in attendance upon the other of the said courts, then and in such case the stenographer so appointed under this act shall provide a competent assistant, When may provide an assistant. whose compensation shall not exceed the amount herein provided for the official stenographer of said court.

SEC. 7. The stenographer shall receive as compensation Compensation. for his services rendered in said probate court the sum of five dollars for each day and two dollars and fifty cents for each half day, which shall in all contested cases be paid by the parties to the cause in equal proportion, regardless of the disposition of any other costs in the case; security for which payment shall be given if demanded by such stenographer: Provido. Provided, That any compensation due the stenographer for taking the testimony of the subscribing witness to a will shall become a part of the taxable costs against the estate sought to be disposed of by said will. Payment of all sums due the

stenographer for services rendered under the provisions of this act shall be made within thirty days of the time such services are completed.

Fee for transcribing minutes.

Proviso.

SEC. 8. In case either party to a cause in the probate court shall desire a transcript of the stenographer's minutes, or of any portion thereof, so taken in any cause in said probate court, it shall be the duty of the stenographer to furnish the same to the person so ordering it, for which he shall be entitled to demand and receive therefor from the parties so ordering such transcript the sum of five cents for each folio so transcribed: Provided, That in case the judge of probate shall require a copy of the stenographer's minutes or of any portion thereof, for his own personal use, the stenographer shall furnish three copies of the same, one copy being for the judge of the said court and a copy to each of the parties in said cause, for which the stenographer shall be entitled to demand and receive therefor the sum of five cents per folio for each folio so transcribed, but only for one copy, which amount for such transcript shall be paid by each of the parties to the cause paying an equal portion of said amount.

Fee for transcript in justice court.

SEC. 9. Whenever a stenographer shall be employed by order of this act in any justice court he shall be entitled to demand and receive the sum of eight cents per folio for each folio of the testimony taken and transcribed, but for one copy only, which amount shall be paid out of the county treasury by the county treasurer upon presentation of a bill for the same, providing that the prosecuting attorney shall certify thereon that the account is correct.

To subscribe oath.

SEC. 10. Before entering upon the duties of said office the stenographer so appointed under this act shall take and subscribe the constitutional oath of office, which shall be administered by the judge of the said probate court.

Repealing clause.

SEC. 11. All acts or parts of acts contravening the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 15, 1901.

[No. 329.]

AN ACT to provide for the submission to the qualified electors of the township of Courtland, in the county of Kent, State of Michigan, the question of the relief of George Barlow, the treasurer of the township of Courtland, in said county, from liability on account of the loss of township funds occasioned through the failure of the Northern Kent bank of Cedar Springs, in Cedar Springs, Kent county, Michigan.

The People of the State of Michigan enact:

SECTION 1. There shall be submitted to the qualified electors of the township of Courtland, in the county of Kent, State of Michigan, at the annual township meeting to be held in said township on the first Monday in April, nineteen hundred one, the question of relieving George Barlow, treasurer of said township, from liability on account of the loss of the funds of said township through the failure of the Northern Kent bank of Cedar Springs, in Cedar Springs, Kent county, Michigan, where said funds were deposited; said relief to be determined as hereinafter provided.

Question of relief of treasurer submitted to electors.

SEC. 2. The township clerk of said township of Courtland shall cause at least ten days' notice to be given of the intended submission of said question, in the same manner as is required by law to be given of said annual township meeting; said township clerk shall cause to be printed on white paper, and distributed at the polls of said township meeting in sufficient numbers for the accommodation of all the electors of said township, two sets of ballots of uniform size, color and texture; and on the ballots of one set shall be printed the words, "For the relief, Yes," and on the other set of ballots, the words, "For the relief, No." Said ballots voted at said township meeting shall be voted and deposited in a separate ballot box, and shall be cared for, inspected and counted in the same manner, as near as may be, as ballots relative to constitutional amendments are voted, deposited, cared for and counted.

Notice to be given.

Form of ballot.

SEC. 3. If it should appear from the final inspection and counting of said ballots that two-thirds of the electors voting on said proposition shall have voted in favor thereof, the same shall be declared, by the inspectors of said election, carried and adopted; and it shall be so certified by them to the township board within five days after said meeting.

Vote required.

This act is ordered to take immediate effect.

Approved March 15, 1901.

[No. 330.]

AN ACT to provide for the submission to the qualified electors of the township of Solon, in the county of Kent, in the State of Michigan, the question of the relief of Sidney Starks, treasurer of the township of Solon, in said county, from liability on account of the loss of township funds occasioned through the failure of the Northern Kent bank of Cedar Springs.

The People of the State of Michigan enact:

Question of relief of treasurer submitted to electors.

SECTION 1. There shall be submitted to the qualified electors of the township of Solon, in the county of Kent, State of Michigan, at the annual township meeting to be held in said township on the first Monday of April, nineteen hundred one, the question of relieving Sidney Starks, treasurer of said township, from liability on account of his loss of the funds of said township through the failure of the Northern Kent bank of Cedar Springs, where the said funds were deposited; said relief to be determined as hereinafter provided.

Notice to be given.

SEC. 2. The township clerk of said township of Solon shall cause at least ten days' notice to be given of the intended submission of said question in the same manner as is required by law to be given of said annual township meetings. Said township clerk shall cause to be printed on white paper and distributed at the polls at said township meeting, in sufficient numbers for the accommodation of all the electors of said township two sets of ballots of uniform size, color and texture, and on the ballots of one set shall be printed the words: "For the relief, Yes," and on the other set of ballots the words, "For the relief, No." Said ballots voted at said township meeting shall be voted, and deposited in a separate ballot box, and shall be cared for, inspected and counted in the same manner, as near as may be, as ballots relative to constitutional amendments are voted, deposited, cared for and counted.

Form of ballot.

Vote required.

SEC. 3. If it should appear from the final inspection and counting of said ballots that two-thirds of the electors voting on said proposition shall have voted in favor thereof, the same shall be declared by the inspectors of said election carried and adopted, and it shall be so certified by them to the township board of said township, within five days after said township meeting.

This act is ordered to take immediate effect.

Approved March 15, 1901.

[No. 331.]

AN ACT to authorize and empower the township of South Haven, in the county of Van Buren and State of Michigan, to raise or borrow money and issue bonds therefor, not to exceed fifty thousand dollars, with which to purchase a site for and aid in the construction of a court house and jail for the county of Van Buren, in said township.

The People of the State of Michigan enact:

SECTION 1. That the township of South Haven, in the county of Van Buren and State of Michigan, shall be and hereby is, authorized and empowered to raise or borrow money on the faith and credit of the said township and issue bonds therefor, to an amount not exceeding fifty thousand dollars, which shall be expended for the purchase of a site for and to aid in the construction of a court house and jail for the county of Van Buren, to be located in said township of South Haven, under such rules and regulations as the township board of said township of South Haven may prescribe: Provided, That a majority of the electors of said township, voting at an election held in accordance with the provisions of this act, shall vote in favor of the said loan in the manner specified in this act.

May borrow money and issue bonds.

Amount, how used.

Proviso as to election.

SEC. 2. The township board of said township is hereby authorized and empowered to submit the question of raising said money and issuing said bonds, to the qualified electors of said township at a general or special election by resolution, setting forth the date, object and place of holding such election, the amount of bonds proposed to be issued, and whether it is to be a general or special election, copies of which resolution shall be securely posted in five public places in said township, at least ten days prior to the date of holding such election, and the same shall be published once in at least three newspapers, published in said township, seven days previous to said election.

May submit question to electors.

Notice, how given.

SEC. 3. The manner of conducting such election and canvassing said votes shall be the same as at general elections, held within said township, except that those voting for the said loan shall have printed or written on their ballots the words, "For the loan, Yes," and those voting against the loan shall have printed or written on their ballots, "For the loan, No." Immediately upon the conclusion of such canvass the inspectors shall make and sign a certificate showing the whole number of votes cast upon such proposition and the number of votes cast for and against said proposition respectively, upon which they shall endorse in writing the result of said election and file with the township clerk of said township, and a copy of which certificate and endorsement shall be filed with the clerk of Van Buren county.

How conducted.

Form of ballot.

Bonds, when and how issued.	<p>SEC. 4. If such loan shall be authorized by a majority of such electors, said bonds may be issued in such sums not exceeding the amount hereinbefore limited and payable at such times and places, not exceeding twenty years from the date of such bonds, and at such rates of interest, not exceeding six per cent., as the said township board shall by resolution direct: Provided, That not more than five thousand dollars of said bonds shall become due in any one year. Said bonds shall be signed by the township board, countersigned by the treasurer and negotiated by and under direction of said township board.</p>
Proviso as to amount.	
Tax for payment.	<p>SEC. 5. It shall be the duty of said township board to provide for the raising by tax upon the taxable property of such township such sums of money as shall be sufficient to pay the amount of such bonds and the interest thereon as fast as the same shall become due.</p>
How negotiated.	<p>SEC. 6. No bonds issued under and by virtue of this act shall be used or negotiated at less than their par value. This act is ordered to take immediate effect. Approved March 15, 1901.</p>

[No. 332.]

AN ACT to authorize and empower the township of Paw Paw, in the county of Van Buren and State of Michigan, to raise or borrow money and issue bonds therefor, not to exceed fifty thousand dollars with which to purchase a site for and aid in the construction of a court house and jail for the county of Van Buren, in said township.

The People of the State of Michigan enact:

May borrow money and issue bonds.	<p>SECTION 1. The township of Paw Paw, in the county of Van Buren and State of Michigan, shall be and hereby is authorized and empowered to raise or borrow money on the faith and credit of the said township and issue bonds therefor, to an amount not exceeding fifty thousand dollars, which shall be expended for the purchase of a site for and to aid in the construction of a court house and jail for the county of Van Buren, to be located in said township of Paw Paw, under such rules and regulations as the township board of said township of Paw Paw may prescribe: Provided, That a majority of the electors of said township, voting at an election held in accordance with the provisions of this act, shall vote in favor of the said loan in the manner specified in this act.</p>
Amount, how used.	
Proviso as to election.	

SEC. 2. The township board of said township is hereby authorized and empowered to submit the question of raising said money and issuing said bonds, to the qualified electors of said township at a general or special election by resolution, setting forth the date, object and place of holding such election, the amount of bonds proposed to be issued, and whether it is to be a general or special election, copies of which resolution shall be securely posted in five public places in said township, at least ten days prior to the date of holding such election, and the same shall be published once in at least three newspapers, published in said township, seven days previous to said election.

To submit
question to
electors.

SEC. 3. The manner of conducting such election and canvassing said votes shall be the same as at general elections, held within said township, except that those voting for the said loan shall have printed or written on their ballots the words, "For the loan, Yes," and those voting against the loan shall have printed or written on their ballots the words, "For the loan, No." Immediately upon the conclusion of such canvass the inspectors shall make and sign a certificate showing the whole number of votes cast upon such proposition and the number of votes cast for and against said proposition respectively, upon which they shall endorse in writing the result of said election and file with the township clerk of said township, and a copy of which certificate and endorsement shall be filed with the clerk of Van Buren county.

How
conducted.

Form of
ballot.

Duty of
inspectors.

SEC. 4. If such loan shall be authorized by a majority of such electors, said bonds may be issued in such sums not exceeding the amount hereinbefore limited, and payable at such times and places, not exceeding twenty years from the date of such bonds, and at such rates of interest, not exceeding six per cent., as the said township board shall by resolution direct: Provided, That not more than five thousand dollars of said bonds shall become due in any one year. Said bonds shall be signed by the township board, countersigned by the treasurer and negotiated by and under direction of said township board.

How issued
when
authorized.

Proviso.

SEC. 5. It shall be the duty of the said township board to provide for the raising by tax upon the taxable property of such township such sums of money as shall be sufficient to pay the amount of such bonds and the interest thereon as fast as the same shall become due.

To levy tax
for payment.

SEC. 6. No bonds issued under and by virtue of this act shall be used or negotiated at less than their par value.

Not to be sold
for less than
par.

This act is ordered to take immediate effect.

Approved March 16, 1901.

[No. 333.]

AN ACT to provide for the submission to the qualified electors of the township of Algoma, in the county of Kent, State of Michigan, the question of the relief of R. Harlow Dockeray, the treasurer of the township of Algoma, in said county, from liability on account of the loss of township funds occasioned through the failure of the Farmers & Merchants' banks of Rockford.

The People of the State of Michigan enact:

Relief of
treasurer
submitted to
electors.

SECTION 1. That there shall be submitted to the qualified electors of the township of Algoma, in the county of Kent and State of Michigan, at the annual township election to be held in said township on the first Monday in April, nineteen hundred one, the question of relieving R. Harlow Dockeray, treasurer of said township, from liability on account of the loss of the funds of said township through the failure of the Farmers & Merchants' bank of Rockford, where said funds were deposited; such relief to be determined as hereinafter provided.

Notice of
election.

SEC. 2. The township clerk of said township of Algoma shall cause at least ten days' notice to be given of the intended submission of said question, in the same manner as is required by law to be given of said annual township meeting; said township clerk shall cause to be printed on white paper, and distributed at the polls of said township meeting in sufficient numbers for the accommodation of all the electors of said township, two sets of ballots of uniform size, color and texture; and on the ballots of one set shall be printed the words, "For the relief, Yes," and on the other set of ballots, the words, "For the relief, No." Said ballots voted at said township meeting shall be voted and deposited in a separate ballot box and shall be cared for, inspected and counted in the same manner, as near as may be, as ballots relative to constitutional amendments are voted, deposited, cared for and counted.

Form of
ballot.

When deemed
adopted.

SEC. 3. If it should appear from the final inspection and counting of said ballots that two-thirds of the electors voting on said proposition shall have voted in favor thereof, the same shall be declared, by the inspectors of said election, carried and adopted; and it shall be so certified by them to the township board of said township within five days after said meeting.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 334.]

AN ACT relative to the bonded indebtedness of school district number one of the city of Marquette.

The People of the State of Michigan enact:

SECTION 1. For the purchase of a school house site or sites and to erect, furnish and equip school buildings; or to refund or renew bonds issued for such purposes, or for the refunding or renewal of such refunding or renewal bonds, the trustees of school district number one of the city of Marquette shall have power to borrow upon the credit of said school district, from time to time, upon the best terms they can make, for such time as they shall deem expedient, at a rate of interest not exceeding six per cent. per annum, a sum of money not exceeding in the aggregate, including the present bonded indebtedness of said school district for school purposes, five per cent. of the assessed value of the property of said district as shown by the last preceding assessment roll of said city; and they shall have authority to issue bonds pledging the faith and credit of said district for the payment of the principal and interest of such bonds. And said trustees shall have power to refund or renew any bonds of said district issued for school purposes, and outstanding at any time, by the issue of new bonds in their stead. And it shall be the duty of said trustees to keep a register of all bonds issued by them, showing the number, date and amount of each, and to whom issued, and when payable; which bonds shall be signed by said trustees or a majority of them; and shall be presented to the controller of said city for countersigning: Provided, That no such bonds, other than refunding or renewal bonds, shall be issued causing the total bonded indebtedness of said school district for school purposes, including the present bonded indebtedness of said district for school purposes, to exceed the sum of ninety thousand dollars, until the amount proposed to be raised and the purpose thereof shall have been submitted to the legal voters of said district and been approved by a majority vote by ballot of all the qualified electors voting thereon at any annual meeting, or at a special meeting called for that purpose: Provided, That in all proceedings under this section the director, assessor and one person appointed by the said trustees shall constitute a board of inspection, who shall cause a poll list to be kept and a suitable ballot box to be used, and the polls of said election shall be kept open at least six hours. The vote shall be by ballot, either printed or written, or partly printed and partly written, and the canvass of the same shall be conducted in the same manner as in township elections or as nearly in conformity thereto as the laws governing the same are ap-

May borrow money and issue bonds for school purposes.

Rate of interest.

Limit of bond issue.

May refund or renew bonds.

To keep register.

Proviso.

Excess of certain amount to be submitted to electors.

Proviso. Board of inspection.

Vote, how canvassed, etc.

plicable; and when they are not, the board of inspectors shall prescribe the manner in which the canvass shall be conducted.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 335.]

AN ACT to amend sections six, eight, twenty-four and twenty-nine and repeal sections thirty and thirty-one of an act entitled "An act to establish a county road system in the county of Saginaw and to provide the money therefor," being act number four hundred nineteen of the local acts of eighteen hundred ninety-nine, approved May seventeen, eighteen hundred ninety-nine.

The People of the State of Michigan enact:

Sections
amended
and
repealed.

SECTION 1. That sections thirty and thirty-one of an act entitled "An act to establish a county road system in the county of Saginaw and to provide the money therefor, being act number four hundred nineteen of local acts of eighteen hundred ninety-nine, approved May seventeen, eighteen hundred ninety-nine, be and the same are hereby repealed, and that sections six, eight, twenty-four and twenty-nine of said act be and are hereby amended so as to read as follows:

When super-
visors may
lay out road.

SEC. 6. After the county road system has been adopted the board of supervisors may lay out, or cause to be laid out, such new roads in the county as they may deem necessary, may widen or straighten any road over which they have jurisdiction, and may declare any road or any part thereof, previously laid out, a county road, and take charge of, improve and maintain as such: Provided, That no highway shall be declared a county road unless a majority in acreage of the owners or persons occupying as owners, on the line of said highway, shall petition that the same be made a county road: And provided further, That the board of supervisors may declare any highway, or any part thereof, a county road, whether petitioned for or not by a two-thirds vote of all the members elect of said board. The board shall give each county road a name by which it shall be known in all proceedings.

Proviso.

Further
proviso.

How may dis-
continue road.

SEC. 8. Said board are also authorized to discontinue any county road by a two-thirds vote to be taken at the October session. At the time of determining to discontinue any such road the board shall fix the date at which the same shall cease to be a county road: Provided, That reasonable time shall be given the highway authorities of the township or townships in which the same may be situated, in which to

Proviso.

prepare to assume responsibility for, and jurisdiction over the same. The county clerk shall, within three days after the adjournment of the session of the board of supervisors at which a vote to discontinue any county road is taken, give notice thereof to the highway commissioner of each township in which said road or any part thereof may be situated. And said township shall become liable for the care and maintenance of said road from and after the time so fixed by said board, and thereafter the county shall not be liable for the same.

Clerk to give notice of discontinuance.

Township liable for care.

SEC. 24. The board of supervisors shall divide each special assessment, when completed, into five equal parts, and shall order one of those parts, together with interest on the whole special assessment, from the end of the thirty days aforesaid to the first of March following to be entered upon the tax roll of the township for the current year in a column to be headed, "special county road tax," and each year thereafter, until the whole of said tax has been carried into the township roll, or paid, the board of supervisors shall order one-fifth of the whole of said assessment, together with interest on the unpaid portion thereof for one year to be entered upon said township tax roll in the manner aforesaid. And all the provisions of the general tax laws of the State relative to the collection and return of county taxes, and to the sale of property returned delinquent for such taxes shall apply in the case of such special assessments.

How special assessments entered on roll.

SEC. 29. No money raised under the provisions of this act shall be expended within the limits of Saginaw, or any other incorporated city or village within the county, and all moneys raised by tax, or assessment, in any township shall be expended upon some county road, or roads, in such township, and all moneys raised by tax or assessment upon property within the corporate limits of the city of Saginaw, or any other incorporated city or village within the county shall be expended upon some county road, or roads, leading to the corporate limits of said city or village.

Moneys, how expended.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 336.]

AN ACT to change the name of Minnie Boorman to Minnie Howard.

The People of the State of Michigan enact:

Name
changed.

SECTION 1. That the name of Minnie Boorman of Elsie, Clinton county, Michigan, be and the same is hereby changed to Minnie Howard.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 337.]

AN ACT to amend sections six and fifteen of chapter seven; section sixteen of chapter nine; section thirty-nine of chapter twelve of an act entitled "An act to amend and revise the charter of the city of Marquette, Marquette county," approved March twenty-seven, eighteen hundred and ninety-one, and acts amendatory thereof; and to add two new sections thereto to stand as sections twenty-five and twenty-six, of chapter seven; and to repeal all acts or parts of acts contravening the provisions of this act.

The People of the State of Michigan enact:

Sections
amended
and added.

SECTION 1. That sections six and fifteen of chapter seven; section sixteen of chapter nine; section thirty-nine of chapter twelve of an act entitled "An act to amend and revise the charter of the city of Marquette, Marquette county," approved March twenty-seven, eighteen hundred and ninety-one, and acts amendatory thereof, be and they are hereby amended, and two new sections added thereto to stand as sections twenty-five and twenty-six of chapter seven; said amended sections and said new sections to read as follows:

CHAPTER VII.

Power of
council to
establish
boundaries,
open streets,
etc.

SEC. 6. The common council may ascertain, establish and settle the boundaries of all streets and alleys in said city, and shall have power to establish, open, widen, straighten, vacate, abolish and to maintain, improve, grade, pave, gravel, plank, clay, macadamize, clean and adorn the public streets, avenues, lanes, alleys, and park squares, spaces and other public grounds in said city, and to control and regulate the use thereof; also to prohibit and remove encroachments and

obstructions therein and preserve and maintain the rights of the public therein; and shall have power in cases where any of the streets of said city are occupied by the tracks of any railroad company, or street railway company, to compel any such company to maintain said street between the rails of such tracks, and for at least two feet on either side thereof, and to keep the same at all times in good repair and flush with the surface of such rails; such maintenance shall be by planking, paving, claying, graveling, or macadamizing, as the common council shall by resolution or ordinance determine. Should any such railroad company or street railroad company neglect or refuse to perform such work within a reasonable time after notice so to do, the common council may cause such work to be done, and the cost thereof shall be a charge against said railroad company or street railroad company, and the same may be recovered from such railroad company in an action at law by the city in any court of competent jurisdiction. No plat or subdivision of any lands in the city into building lots or other parcels thereof shall be presented for his approval to the Auditor General of the State, or for record in the office of the register of deeds for the county of Marquette, until the same shall be made to conform to the general plan of the streets of the city, and streets shall be laid out thereon in conformity with said general plan; nor shall any such plat be so offered for approval or record or be approved or recorded until the same shall have been submitted to the common council for their approval, and such changes therein shall have been made as the common council shall direct, nor until the said plat shall have been approved by the common council as being in compliance with the provisions of this section.

Plats for building lots, etc., to conform to general plan.

SEC. 15. To enable the common council to build or repair bridges or make any other public improvement, and fully and effectually carry out and perform any and all powers conferred upon them by this act, they may borrow money for municipal improvements, or for the general purposes of the city, at a rate of interest not exceeding seven per cent. per annum, and issue the bonds of the city therefor, signed by the mayor and recorder and countersigned by the controller, but no money shall be borrowed for a longer period than ten years, nor shall the amount of money thus borrowed exceed the sum of ten thousand dollars in a fiscal year, and if the common council shall deem it necessary to borrow more money for municipal purposes or improvements or for the purchase of property for municipal purposes than is above provided for, or to purchase and donate, or to aid in the purchasing of a site or sites for any State, educational, reformatory or benevolent institution or institutions, to be located in or in proximity to the city, or to aid in the construction of the same, or of a county court house or jail, which they may do when thereto authorized by a vote of the electors,

May borrow money.

Limit of time and amount of loan.

When question submitted to electors.	as herein provided, the question of raising such loan shall be submitted to the qualified electors of said city at some annual or general election or at a special election called for that purpose by the common council and held and conducted in such manner and by such inspectors and officers as the common council shall direct, either in the several wards or at the city hall or other suitable place in the city; and if a majority of such electors voting on such question at such election shall be in favor of such loan, the common council shall proceed to make such loan and issue the bonds of the city therefor as above provided; but before any loan of money shall be authorized by a vote of such electors of said city, written or printed notices shall be posted by the recorder, in at least two public places in each ward at least twenty days prior to such election, and such recorder shall cause notice to be published in some newspaper printed in said city for the same period, specifying the object or objects for which money is proposed to be borrowed. The common council may provide by ordinance the manner of voting upon any question of borrowing money; but the vote shall be canvassed and the result certified and determined in the same manner as the results of other votes are canvassed by the provisions of this act: Provided, That the total indebtedness of the city for borrowed money exclusive of sums borrowed by direction and for the use of the board of water and fire commissioners of said city and sums borrowed for water power and electric lighting purposes, shall never exceed in amount a sum equal to five per centum of the aggregate of the last annual assessment roll of the taxable property in said city: And provided further, That the twenty-five thousand dollars in bonds issued by the board of water and fire commissioners under the provisions of act number two hundred and forty of the local acts of the legislature of the State of Michigan of the year eighteen hundred and ninety-one, are hereby declared to be valid and of full force and effect, anything herein or in the act of which this is amendatory to the contrary notwithstanding.
Notice of election, how given.	
Proviso.	
Further proviso.	
Power of council as to partition fences.	SEC. 25. The council is authorized to enact all such ordinance and by-laws as it may deem proper relative to the building, rebuilding, maintaining and repairing of partition fences by the owners and occupants of adjoining lots, inclosures and parcels of land in said city; and relative to the assigning to the owners or occupants of such adjoining pieces of land the portion of such partition fences to be maintained by them respectively, and may provide for the recording of such assignments and divisions when made; and may provide for the recovery of damages from any owner or occupant relative to such partition fences. And the council may appoint fence viewers, and prescribe their duties and mode of proceeding in all cases relative to partition fences in said city.
Proceedings to vacate street, alley, etc.	SEC. 26. When the council shall deem it advisable to vacate, discontinue or abolish any street, alley or public ground, or any part thereof, they shall by resolution so de-

clare, and in the same resolution shall appoint a time, not less than four weeks thereafter, when they will meet and hear objections thereto; notice of such meeting with a copy of said resolution shall be published for not less than four weeks before the time appointed for such meeting, in one of the newspapers of the city. Objections to said proposed action of the council may be filed with the recorder in writing, and if any such shall be filed, the street, alley, or public ground, or any part thereof, shall not be vacated or discontinued, except by a concurring vote of two-thirds of the aldermen elect.

CHAPTER IX.

SEC. 16. The constables of the city shall have the like powers and authority in matters of civil and criminal nature, and in relation to the service of all manner of criminal process, as are conferred by law upon constables in townships, and shall receive the like fees for their services. They shall have power also to serve all process issued for breaches of ordinances of the city. The constables of the city shall obey all lawful orders of the mayor, aldermen and any justice of the peace exercising jurisdiction in causes for breaches of the ordinances of the city, and shall discharge all duties required of them by any ordinance, resolution or regulation of the council; and for any neglect or refusal to perform any such duty required of him, every constable shall be subject to a penalty of not less than five nor more than fifty dollars. Every constable, before entering upon the duties of his office, shall give such bonds for the performance of the duties of his office, as may be required and approved by the council, and file the same with the recorder.

Powers and
duties of
constables.

Penalty
for neglect
of duty.

CHAPTER XII.

SEC. 39. Until the common council shall direct the collections of any special assessment on the general tax roll and until the same has been levied thereon, the same shall bear interest at the rate of six per cent. per annum, and collection of the same, with interest, shall be proceeded with and enforced in such manner as is or may be provided by the charter and ordinances of the city. Upon all special assessments levied upon the general tax roll there shall be collected the same interest and penalties as upon other taxes on such roll; and when any such special assessment shall be levied on any general tax roll entry of that fact and of the year's roll on which the same is levied shall be made on the special assessment roll on which such assessment was made. No judgment or decree, nor any act of the council vacating a special assessment shall destroy or impair the lien of the city upon the premises assessed for such amount of the assessment as may be equitably chargeable against the same, or, as by regular

Council to
direct col-
lection of
special
assessment,
etc.

When question submitted to electors.	<p>as herein provided, the question of raising such loan shall be submitted to the qualified electors of said city at some annual or general election or at a special election called for that purpose by the common council and held and conducted in such manner and by such inspectors and officers as the common council shall direct, either in the several wards or at the city hall or other suitable place in the city; and if a majority of such electors voting on such question at such election shall be in favor of such loan, the common council shall proceed to make such loan and issue the bonds of the city therefor as above provided; but before any loan of money shall be authorized by a vote of such electors of said city, written or printed notices shall be posted by the recorder, in at least two public places in each ward at least twenty days prior to such election, and such recorder shall cause notice to be published in some newspaper printed in said city for the same period, specifying the object or objects for which money is proposed to be borrowed. The common council may provide by ordinance the manner of voting upon any question of borrowing money; but the vote shall be canvassed and the result certified and determined in the same manner as the results of other votes are canvassed by the provisions of this act: Provided, That the total indebtedness of the city for borrowed money exclusive of sums borrowed by direction and for the use of the board of water and fire commissioners of said city and sums borrowed for water power and electric lighting purposes, shall never exceed in amount a sum equal to five per centum of the aggregate of the last annual assessment roll of the taxable property in said city: And provided further, That the twenty-five thousand dollars in bonds issued by the board of water and fire commissioners under the provisions of act number two hundred and forty of the local acts of the legislature of the State of Michigan of the year eighteen hundred and ninety-one, are hereby declared to be valid and of full force and effect, anything herein or in the act of which this is amendatory to the contrary notwithstanding.</p>
Notice of election, how given.	
Proviso.	
Further proviso.	
Power of council as to partition fences.	<p>SEC. 25. The council is authorized to enact all such ordinance and by-laws as it may deem proper relative to the building, rebuilding, maintaining and repairing of partition fences by the owners and occupants of adjoining lots, inclosures and parcels of land in said city; and relative to the assigning to the owners or occupants of such adjoining pieces of land the portion of such partition fences to be maintained by them respectively, and may provide for the recording of such assignments and divisions when made; and may provide for the recovery of damages from any owner or occupant relative to such partition fences. And the council may appoint fence viewers, and prescribe their duties and mode of proceeding in all cases relative to partition fences in said city.</p>
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Powers and
duties of
constables.

Penalty
for neglect
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CHAPTER XII.

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Council to
direct col-
lection of
special
assessment,
etc.

Repealing
clause.

mode of proceeding might have been lawfully assessed thereon together with the interest thereon.

SEC. 2. All acts and parts of acts contravening the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 338.]

AN ACT to authorize the city of East Tawas in the county of Iosco to levy and collect a tax of not to exceed one per cent. on its assessed valuation for the years nineteen hundred one, nineteen hundred two and nineteen hundred three, in addition to the amount now authorized by law to be assessed in cities of the fourth class, for the purpose of paying past due interest on its bonded indebtedness.

The People of the State of Michigan enact:

Additional
tax levy
authorized.

SECTION 1. The city of East Tawas, in the county of Iosco, is hereby authorized and empowered to levy and collect a tax of not to exceed one per cent. on the assessed valuation of said city for the years nineteen hundred one, nineteen hundred two and nineteen hundred three, in addition to the amount now authorized by law to be levied and collected in cities of the fourth class, for the purpose of paying past due interest on its bonded indebtedness.

Assessment,
how spread.

SEC. 2. Such assessment shall be spread in a separate column upon the tax rolls of the several wards of said city, such column to be headed "special tax for bonded indebted-

Sums, how
kept and used.

ness." All sums collected on account of such special assessment shall be kept by the treasurer of said city separate from all other moneys belonging to said city and shall be appropriated and used only for the purpose of paying past due interest upon the bonded indebtedness of said city.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 339.]

AN ACT to abolish the board of public works of the city of East Tawas and to provide that the duties thereof shall be performed by a committee of the common council appointed for that purpose by the mayor by and with the consent of the council.

The People of the State of Michigan enact:

SECTION 1. The mayor of the city of East Tawas shall annually, on or before the first regular meeting of the common council of said city held after a general city election in each year, appoint, and the council shall confirm, a committee consisting of three members of said council to be known and designated as the committee of public works. Public works committee, when and by whom appointed.

SEC. 2. The said committee of public works shall be charged and entrusted with all the duties, powers and responsibilities which by the general laws relating to fourth class cities devolve upon the board of public works, and shall have all the authority and control vested by law in the board of public works under the general law relating to cities of the fourth class in this State. Powers, duties, etc.

SEC. 3. The office of board of public works in the said city of East Tawas is hereby abolished. Office abolished.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 340.]

AN ACT to provide for the appointment of an assessor in the city of East Tawas, in the county of Iosco, and to prescribe the duties of such assessor, to abolish the office of supervisor in said city, to provide for a board of review of said city, and to provide that the aldermen of the several wards of said city whose terms of office will soonest expire shall be ex officio members of the board of supervisors of Iosco county.

The People of the State of Michigan enact:

SECTION 1. The mayor of the city of East Tawas shall on the Thursday next succeeding each general election, appoint an assessor for the said city who shall hold his office for the term of one year. Such appointment shall be confirmed by the council. Appointment of assessor.

Duties of, etc. SEC. 2. Said assessor shall perform all the duties relative to the assessment of property and the making and completion of an assessment roll for each of the wards of the said city as are authorized by the general laws of this State to be performed by the supervisors. He shall have all the powers relative to the assessment of property given by law to supervisors and shall conform to the general law in regard to the time and manner of making assessments and spreading taxes. He shall receive as compensation for services as such assessor not to exceed two dollars per day for the time actually spent in the discharge of his duties, such compensation to be audited and paid by the city council.

Office of supervisor abolished. SEC. 3. The office of supervisor in and for the said city of East Tawas is hereby abolished.

Alderman to be member of board of supervisors. SEC. 4. The alderman of each ward whose term of office will soonest expire shall be ex officio a member of the board of supervisors of the county of Iosco, and shall perform the same duties and receive the same compensation as members of said board of supervisors as is authorized and allowed by law for supervisors in cities.

Board of review. SEC. 5. The board of review of said city shall consist of the said assessor, the aldermen whose terms of office shall soonest expire, and the city attorney. Said board of review shall perform the same duties and receive the same compensation as is authorized and allowed by law for boards of review for cities of the fourth class.

SEC. 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 341.]

AN ACT to provide for the registration of electors and for the manner of holding elections in the city of East Tawas, in the county of Iosco.

The People of the State of Michigan enact:

Board of registration, of whom to consist. SECTION 1. The board of registration of the city of East Tawas shall consist of three aldermen, one from each of the wards of said city, to be appointed by the mayor by and with the consent of the council.

Powers and duties. SEC. 2. The said three aldermen shall constitute a board of registration for the said city and shall have all the powers and perform the duties of boards of registration as provided

by the general registration and election laws of the State for cities of the fourth class.

SEC. 3. Said board of registration shall have the possession and control of the several books of registration of said city and shall keep a list of the registered voters of each ward in a separate registration book. To have control of books, etc.

SEC. 4. Said board of registration shall hold its sessions in the city hall of said city and shall hold its sessions and open and close the same in accordance with the election and registration laws of this State for cities of the fourth class. Sessions, when held.

SEC. 5. The members of said board of registration shall each receive the sum of two dollars per day for their services, and no more. Compensation.

SEC. 6. All elections in said city shall be held in the city hall and there shall be but one polling place in said city for any election. Elections, where held.

SEC. 7. The board of inspectors of election shall consist of one alderman from each ward to be appointed by the mayor by and with the consent of the council at the last regular meeting of the council before the general or special election is to take place and two clerks to be appointed by said board of inspectors of election on the morning of each election before the opening of the polls. Board of inspectors.

SEC. 8. The said inspectors of election shall choose one of their number as chairman of the board and each member of said board of inspectors, including the clerks, shall take the constitutional oath of office which either of the members of said board may administer. To elect chairman and subscribe oath.

SEC. 9. The said inspectors of election shall have and keep at the said polling place during each election the several registration books of the several wards and the ballot-boxes of each ward and they shall keep the ballots of the electors of each ward voting at such election in a separate ballot-box and make separate returns of said election for each ward. Duties of inspectors.

SEC. 10. The said board of inspectors of election shall receive for such service the sum of two dollars per day each and no more. Compensation.

SEC. 11. In all other respects not specially provided for in this act the said registration and election shall be governed by the general registration and election laws of cities of the fourth class of this State. Law governing.

SEC. 12. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed. Repealing clause.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 342.]

AN ACT to authorize the county of Presque Isle, in this State, to borrow not exceeding thirty thousand dollars, and to issue its negotiable bonds therefor, for the purpose of paying and funding its outstanding indebtedness and to authorize a tax to pay said bonds and interest thereon.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

SECTION 1. The county of Presque Isle, in this State, by its board of supervisors, is hereby authorized and empowered to borrow not exceeding thirty thousand dollars, for the purpose of paying and funding the outstanding indebtedness of said county, existing February first, nineteen hundred one, and to issue negotiable bonds of said county therefor, and to sell said bonds at not less than their par value and apply the proceeds of such sale to the purpose aforesaid.

Indebtedness,
what to
include.

SEC. 2. The indebtedness for which said bonds are authorized to be issued may include the bonds of the said county heretofore issued and outstanding, county orders, warrants, judgments, interest coupons, and accrued interest on any such bonds, orders, warrants, judgments, or coupons and court costs, fees and expenditures made in litigation in behalf of said county and any other indebtedness of, or claim against said county which shall have been audited and allowed by the board of supervisors and not appealed from according to law. And the action of said board of supervisors in auditing and allowing such indebtedness or claim, and not appealed from, shall be final as to validity of such indebtedness or claim.

Bonds, how
issued, in-
terest, etc.

SEC. 3. The bonds authorized to be issued by this act shall be issued in denominations of five hundred dollars or one thousand dollars each, to become due at such time or times as the said board may fix, not exceeding twenty years from their date, and shall bear interest not exceeding five per cent per annum, payable annually, to be evidenced by interest coupons attached to said bonds. Said bonds shall be made payable to bearer and at such place as may be designated by said board of supervisors, and shall be executed by the chairman of the board of supervisors and countersigned by the county treasurer and attested by the county clerk of said county, with his official seal affixed.

Assessment
of special
tax.

SEC. 4. It shall be, and is hereby made, the duty of the board of supervisors of Presque Isle county to provide by a special tax upon all the taxable property in said county, for the payment, as the same shall become due, of the principal and interest upon all bonds and coupons issued under the authority of this act; and the proceeds of such special tax, when collected, shall not be applied or used for any other purposes whatsoever.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 343.]

AN ACT to authorize the township of Allis, in the county of Presque Isle, and State of Michigan, to borrow money for the payment of the outstanding orders of said township, and to issue bonds therefor.

The People of the State of Michigan enact:

SECTION 1. The township board of the township of Allis, in the county of Presque Isle, and State of Michigan, is hereby authorized and empowered to borrow a sum of money not exceeding three thousand dollars, on the faith and credit of said township, and issue its coupon bonds therefor, payable at a time or times not exceeding ten years from the date thereof, and at a rate of interest not exceeding six per cent per annum, which money shall be expended for the payment of any outstanding orders of said township. May issue bonds. Interest, etc.

SEC. 2. Such money shall not be borrowed nor such bonds issued, unless a majority of the qualified electors of said township, voting at the annual township meeting to be held the first Monday of April, A. D. nineteen hundred one; or at any special township meeting in said township, to be called or ordered by the township board of said township, at any time after the taking effect of this act. The said township board is hereby authorized and empowered to submit the question of said loan to the qualified electors of said township at such general or special township meeting, giving due notice thereof, by causing the date, place of voting, and object of said election to be stated in printed or written notices, posted in at least three public places in said township, not less than six days prior to said election, which notice shall state the amount of money proposed to be borrowed. To be submitted to electors. Notice, what to contain, etc.

SEC. 3. The proposition of issuing the said bonds provided for in section one of this act, shall be submitted to the electors by ballot, which ballot shall be written or printed, or partly written and partly printed, and of the following form: "For issuing township bonds. Yes." "For issuing township bonds. No." Said vote shall be canvassed the same as the ordinary vote cast at township meetings, and if, upon the canvassing of said vote it shall be found that a majority of the electors voting upon said proposition have voted in favor of said proposition, then said township board shall be authorized to issue the bonds of said township, as provided for in the first section of this act. Ballots, form of, etc. Vote, how canvassed.

SEC. 4. It shall be the duty of the township board of said township, to raise by tax upon the taxable property of said township, in each year thereafter, in addition to any taxes now authorized by law to be assessed and collected in said township, an amount sufficient to pay all interest upon such Amount to be raised by tax.

bonds, accruing and becoming payable thereon, and also any principal thereof falling due in any such year.

Interest, etc.,
when and how
paid.

SEC. 5. The interest upon such bonds shall be payable by the treasurer of said township after the same shall become due, upon presentation to him of the proper coupons, and the said principal shall be payable by the said treasurer after the same shall become due upon presentation to him of the proper bonds.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 344].

AN ACT to revise and amend the charter of the city of Muskegon, and to repeal all conflicting acts relating thereto.

TITLE I.

INCORPORATION AND BOUNDARIES.

The People of the State of Michigan enact:

Territory
incorporated.

SECTION 1. That all the following tract and parcel of land situate in the county of Muskegon and State of Michigan, described as follows, to-wit: Commencing at the quarter post between sections sixteen and seventeen, in town ten north of range sixteen west; thence south on section line to southeast corner of section twenty-nine in said town; thence west on section line to the northeast corner of the northwest quarter of the northwest quarter of section thirty-six, in town ten north of range seventeen west; thence south on half quarter or eighth line thirteen hundred and twenty feet; thence west on one-eighth line three hundred and eighty-five feet; thence south parallel with north and south one-eighth line nineteen hundred and eighty feet to south line of McGraft park, so called; thence west along south line of said McGraft park nine hundred and thirty-five feet to west line of said section thirty-six; thence south on section line to the southwest corner of said section thirty-six; thence west on section line to Lake Michigan; thence northwesterly along shore of Lake Michigan to the south line of section twenty-one, in town ten north of range seventeen west; thence east along the south line of said section twenty-one to the shore of Muskegon lake; thence easterly to a point in the center line of Muskegon lake north thirty-two degrees west of the intersection of north line of section thirty-five in town ten north

of range seventeen west, with the shore of Lake Muskegon; thence northeasterly in a straight line to a point on west line of section seventeen, in town ten north of range sixteen west, eighty rods north of the southwest corner of said section seventeen; thence east on half quarter or eighth line to the north and south quarter line of said section seventeen; thence northeasterly to quarter post between sections sixteen and seventeen or place of beginning, including all lands in said boundaries, and the portion of said Muskegon lake or river included therein, be and is hereby set off from the township of Muskegon and the township of Lakeside and the township of Laketon, and declared to be a city, by the name of "the city of Muskegon," by which name it shall hereafter be known.

SEC. 2. The freemen of said city from time to time being inhabitants thereof, shall be and continue a body corporate and politic, to be known and distinguished by the name and style of "the city of Muskegon," and shall be and are hereby made capable of suing and being sued, of pleading and being impleaded, of answering and being answered unto, and of defending and being defended, in all courts of law and equity, and in all other places whatsoever, and shall have a common seal, which they may alter or change at pleasure, and by the same name shall be and are hereby made capable of purchasing and holding and disposing of any real and personal estate for said city. All process issued against said city shall run against said city in the corporate name thereof, and such process shall be served by leaving an attested copy of the same with the mayor, recorder or city attorney.

SEC. 3. The city shall be divided into eight wards as follows: The first ward shall embrace all that portion of the city lying northerly of Ryerson creek. The second ward shall embrace all that portion of said city lying southerly of Ryerson creek and northerly and easterly of a line described as follows: Beginning at the intersection of Rathborne street with Ryerson creek; thence southerly along Rathborne street to Myrtle street; thence southwesterly along Myrtle street to Fork street; thence southerly along Fork street to Apple street; thence east along Apple street to Wood avenue; thence south along Wood avenue to Laketon avenue. The third ward shall embrace all that portion of said city bounded as follows: Beginning at the intersection of Western avenue with Ryerson creek; thence southwesterly along Western avenue to Pine street; thence southeasterly along Pine street to Irwin street; thence easterly along Irwin street to Wood avenue; thence north along Wood avenue to Apple street; thence west along Apple street to Fork street; thence northerly along Fork street to Myrtle street; thence northeasterly along Myrtle street to Rathborne street; thence northwesterly along Rathborne street to Ryerson creek; thence along Ryerson

Body corporate and politic.

City to be divided into wards.
First ward.
Second ward.

Third ward.

bonds, accruing and becoming payable thereon, and also any principal thereof falling due in any such year.

Interest, etc.,
when and how
paid.

SEC. 5. The interest upon such bonds shall be payable by the treasurer of said township after the same shall become due, upon presentation to him of the proper coupons, and the said principal shall be payable by the said treasurer after the same shall become due upon presentation to him of the proper bonds.

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Body corporate and politic.

City to be divided into wards.
First ward.
Second ward.

Third ward.

- Fourth ward. creek to place of beginning. The fourth ward shall embrace all that portion of the city bounded as follows: On the easterly by a line described as follows: Beginning at the intersection of Walton street and Pine street; thence northwesterly along Pine street to Western avenue; thence along Western avenue to Ryerson creek; thence along Ryerson creek and the dividing line between the mill property of Torrent and company and Ryerson, Hills and company, to city limits; on the southerly by a line described as follows: Beginning at the intersection of Pine street with Walton street; thence southwesterly along Walton street to Miller avenue; thence west along Miller avenue to Muskegon avenue; thence southwesterly along Muskegon avenue to Fourth street; on the westerly by a line described as follows: Beginning at the intersection of Fourth street with Muskegon avenue; thence northwesterly along Fourth street to Western avenue; thence southwesterly along Western avenue to the line between blocks three hundred twenty-six and three hundred twenty-seven; thence along said dividing line to the city limits; on the northerly by the city limits. The fifth ward shall embrace all that portion of said city bounded on the north by a line described as follows: Beginning at the intersection of Muskegon avenue with Fourth street; thence northeasterly along Muskegon avenue to Miller avenue; thence east along Miller avenue to Walton street; thence northeasterly along Walton street to Pine street; on the east by a line described as follows: Beginning at the intersection of Walton street and Pine street; thence southeasterly along Pine street to Irwin street; thence east along Irwin street to Wood avenue; thence south along Wood avenue to Laketon avenue; on the south by Laketon avenue; on the west by a line described as follows: Beginning at the intersection of Jefferson street with Laketon avenue; thence north along Jefferson street to Fourth street; thence northwesterly along Fourth street to Muskegon avenue. The sixth ward shall embrace all that portion of said city bounded on the east by a line described as follows: Beginning at the intersection of Laketon avenue with Jefferson street; thence north along Jefferson street to Fourth street; thence northwesterly along Fourth street to Western avenue; thence southwesterly along Western avenue to the dividing line between blocks three hundred twenty-six and three hundred twenty-seven; thence along said dividing line to the city limits; on the northwest by the city limits; on the west by a line described as follows: Beginning at the intersection of Glade street with Laketon avenue; thence north along Glade street to Houston avenue; thence northeasterly along Houston avenue to Ninth street; thence northwesterly along Ninth street to Western avenue; thence along Western avenue to the dividing line between blocks three hundred thirty and three hundred thirty-one; thence along said divid-
- Fifth ward.
- Sixth ward.

ing line to the city limits. The seventh ward shall embrace Seventh ward. all that portion of said city bounded as follows: Beginning at the intersection of Glade street with Laketon avenue; thence northerly along Glade street to Houston avenue; thence northeasterly along Houston avenue to Ninth street; thence northwesterly along Ninth street to Western avenue; thence along Western avenue to the dividing line between blocks three hundred thirty and three hundred thirty-one; thence northwesterly along said dividing line to city limits; thence recommence at said point of beginning and run west on Laketon avenue to the northeast corner of the northwest quarter of the northwest quarter of section thirty-six in town ten north of range seventeen west; thence south on half quarter or eighth line thirteen hundred and twenty feet; thence west on one-half line three hundred and eighty-five feet; thence south parallel with north and south one-half line to the center of Ruddiman creek, so called; thence in a northwesterly direction along center of Ruddiman creek to Muskegon lake or city limits; thence northeasterly along line of city limits to the intersection with line between blocks three hundred thirty and three hundred thirty-one, if extended northwesterly to city limits. The eighth ward shall embrace Eighth ward. all that portion of said city lying west of the center of Ruddiman creek.

SEC. 4. Each ward shall be divided into such voting pre- Voting cincts as the council shall from time to time determine by precincts. ordinance.

TITLE II.

REGISTRATION, ELECTORS AND ELECTIONS.

SECTION 1. The inhabitants of the city of Muskegon, hav- Qualifications ing the qualifications of electors under the constitution of the of electors. State of Michigan, and no others, shall be electors therein.

SEC. 2. Every elector shall vote in the voting precinct Where to where he shall have resided during the twenty days next vote. preceding the day of election. The residence of any elector not being a householder shall be deemed to be where he lodges.

SEC. 3. There shall be three competent electors of each Board of voting precinct, not more than two of whom shall belong to registration. the same political party, designated by the council, who shall constitute a board of registration for each of the voting pre- cincts respectively. In case any member of such board shall Vacancy in. be absent or unable to attend any meeting of such board, the other members of said board shall choose a competent elector of said voting precinct to act in his place, subject to the ap- proval of the electors present, to be determined by a viva voce

Meeting of.	vote. Said board shall meet on the Saturday next preceding each election at such place in the voting precinct as may be determined by the council, and shall remain in session from nine o'clock in the forenoon until nine o'clock in the afternoon for the purpose of completing the list of qualified electors.
Proceedings.	All proceedings relating to such registration shall be the same as those provided by law for townships, so far as they are not inconsistent with the provisions of this act. There shall be a new registration of the voters of the city of Muskegon on the Saturday next preceding the first Monday in April in the year nineteen hundred and one and each fourth year thereafter, and of the voters of said city, or any ward thereof at such other times as may be rendered necessary by a change in the boundaries of any of the voting precincts.
New registration.	
Annual election.	SEC. 4. A city election shall be held on the first Monday in April following the adoption of this charter, and on the first Monday in April of each year thereafter, at such places in the several voting precincts of the city as the council shall designate.
Special election.	SEC. 5. Special elections may be held in and for the city or in and for any ward thereof, at such times and place or places as the council shall by resolution designate, the purpose and object of which shall be fully set forth in said resolution.
Duty of council.	SEC. 6. Whenever a special election is to be held, the council shall cause to be delivered to the inspectors of election in each voting precinct where the same is to be held, a notice signed by the recorder specifying the officer or officers to be chosen, and the question or proposition, if any, to be submitted to the electors, and the day and places at which such election is to be held; the manner of holding the election shall be the same as at the annual city election.
Notice, contents of, etc.	SEC. 7. Notice of the time and place of holding any election, and of the officers to be elected, and the questions to be voted upon, shall be given by the recorder at least ten days before such election by posting such notices in three public places in each voting precinct in which the election is to be held. In case of a special election, the notice shall set forth the purpose and object of said election as fully as the same are required to be set forth in the resolution calling such election.
Ballot boxes.	SEC. 8. The council shall provide and cause to be kept by the recorder, for use at all elections; suitable ballot boxes of the kind required by law to be kept and used in townships.
Opening and closing polls.	SEC. 9. On the day of elections held by virtue of this act, the polls shall be open in each voting precinct at the several places designated by the council at seven o'clock in the morning, and shall be kept open until five o'clock in the afternoon, at which hour they shall be closed. The inspectors shall
Proclamation.	cause proclamation to be made of the opening and closing of the polls.

SEC. 10. Three competent electors of each voting precinct, to be designated by the council, not more than two of whom shall belong to the same political party, shall be inspectors of election in each voting precinct, and of the State, county and district election. And in case of the absence of one or more of such inspectors, the electors present shall choose viva voce from their number one or more competent persons who shall be an elector or electors of such voting precinct, not being members of the same political party, to fill such vacancy or vacancies, to whom shall be administered the constitutional oath of office by either of said inspectors, or by any person authorized to administer oaths.

Inspectors of election.

Vacancies.

SEC. 11. The inspectors shall elect one of their number chairman of said board, and one of their number clerk of said board, and they may appoint one other competent elector to act as clerk also of said board. Members and clerks of the board of registration, and the inspectors and clerks of election shall each receive such compensation for their services as the council shall allow, provided that members and clerks of the board of registration shall not receive to exceed the sum of dollars each for each registration, and that inspectors and clerks of election shall not receive to exceed the sum of five dollars each for each election.

Officers of board.

Compensation.

SEC. 12. No person shall act as a member of the board of registration, inspector of election, or clerk of either of said boards until he shall have taken the constitutional oath of office.

Oath.

SEC. 13. All registration and elections under this act shall be conducted, controlled and governed by the general laws of the State except as herein otherwise provided.

How conducted.

SEC. 14. Immediately after closing the polls, the inspectors of election shall, without adjournment or recess, publicly canvass the vote received by them and publicly declare the result and shall at once, without adjournment or recess, make one certificate of the number of votes given for each person for the several offices in and for said city, and also one certificate of the number of votes cast for the several ward officers, together with a statement and certificate, in duplicate, setting forth the whole number of votes cast for any other office, or on any other question voted upon at such election, which certificates and statements shall be immediately filed in the office of the recorder of the city, together with the poll lists and the register of electors, and the boxes containing said ballots: Provided however, That a duplicate of the statements and certificates last above mentioned shall at the same time be filed in the office of the county clerk of said county.

Canvass of vote.

Certificate.

Proviso.

SEC. 15. The manner of canvassing said votes shall be the same as prescribed by law for canvassing votes at the general elections held in this State, and the inspectors shall in all other respects, except as herein otherwise provided, con-

Manner of canvassing votes.

	form to the duties required of inspectors of elections at such general elections.
Meeting of council, purposes of.	SEC. 16. The council shall convene on Thursday next succeeding such election, at the usual hour and place of meeting, and proceed and canvass said returns, and from the statements and certificates so filed with the recorder shall determine the result of the election upon each question and proposition voted upon, and what persons were duly elected at said election to the several offices respectively within and for said city, and the wards thereof. Thereupon the recorder shall make duplicate certificates under the corporate seal of the city, of such determination, showing the result of the election upon any question or proposition voted upon and what persons were declared elected to the several offices respectively, one of which certificates he shall file in the office of the county clerk of the county of Muskegon, and the other shall be filed in the office of the city recorder.
Recorder's certificate.	
Where filed.	
Who deemed elected.	SEC. 17. The person receiving the greatest number of votes for any office in the city or ward as shown by said statements and certificates shall be deemed to have been duly elected; and if there shall be no choice for any office by reason of two or more candidates having received an equal number of votes, the council shall, at the meeting mentioned in the preceding section, determine by lot between such persons, which shall be considered elected to such office.
Recorder to notify persons elected.	SEC. 18. It shall be the duty of the recorder within five days after the meeting and determination of the council, as provided above, to notify each person elected in writing of his election; and each of said officers so elected and notified shall within ten days after such notice take and subscribe the constitutional oath of office and deliver the same to the said recorder who shall file the same in his office.
Oath of office.	

TITLE III.

OFFICERS.

Officers elected.	SECTION 1. The officers of said city shall be one mayor, one recorder, one treasurer, one assessor, and two justices of the peace, who shall be designated city officers and shall be elected by the qualified voters of the whole city; also one alderman, one supervisor, and one constable in each ward, who shall be designated ward officers, and shall be elected by the qualified voters of the respective wards. Said officers shall be elected as follows, namely: The mayor and constables shall be elected annually and shall hold their offices one year and until their successors shall be elected and qualified. The recorder, treasurer, assessor, alderman, and supervisor, shall be elected biennially and shall hold their respective offices for two years and until their successors
Terms of office.	

shall be elected and qualified. No person elected to fill a vacancy shall hold any office provided for in this act for a longer time than during such unexpired term, unless again elected. Proviso.

SEC. 2. The following officers shall be appointed by the council on the nomination of the mayor, as provided in section twenty-three of title seven of this act, namely: One city attorney, one city accountant, one chief of police, one street commissioner, one superintendent of water department, one chief of fire department, one city physician, one city engineer, one harbor master, one director of the poor, one pound master, one sealer of weights and measures: Appointed. Provided, Two directors of the poor may be appointed. Proviso. The same person may be appointed to the offices of chief of police and street commissioner, and the same person may be appointed superintendent of water department and chief of fire department. The council may also from time to time provide by ordinance for the appointment of such other officers for such term as may be provided in the ordinance, whose election or appointment is not herein specially provided for, as the council shall deem necessary for the execution of the powers granted by this act; the officers last aforesaid shall be appointed and may be suspended and removed as provided in section twenty-three of title seven of this act. The powers, duties, and compensation of all officers appointed under such ordinance not otherwise provided for in this act, shall be prescribed by such ordinance. Powers, duties, etc.

SEC. 3. All justices of the peace heretofore elected or appointed in said city shall continue in office for the term for which they were severally elected or appointed. At the first election under this act and at the spring election every two years thereafter, one supervisor shall be elected from each of the first, third, fifth, and seventh wards, who shall hold their office for the term of two years. At the first election under this act there shall be elected one supervisor from each of the second, fourth, sixth and eighth wards, who shall hold their office for the term of one year. At the spring election in the year nineteen hundred and two and every two years thereafter, one supervisor shall be elected from each of the second, fourth, sixth and eighth wards, who shall hold their office for the term of two years. At the spring election in the year nineteen hundred and two and every two years thereafter, there shall be elected one alderman from each of the first, third, fifth and seventh wards, who shall hold their office for the term of two years. At the spring election in the year nineteen hundred and two there shall be elected one alderman from each of the second, fourth, sixth and eighth wards, who shall hold their office for the term of one year. At the spring election in the year nineteen hundred and three and at the spring election every two years thereafter, one alderman shall Justices to continue in office.
Supervisor, term of office.
Alderman, term of office.

Meeting of.	vote. Said board shall meet on the Saturday next preceding each election at such place in the voting precinct as may be determined by the council, and shall remain in session from nine o'clock in the forenoon until nine o'clock in the afternoon for the purpose of completing the list of qualified electors.
Proceedings.	All proceedings relating to such registration shall be the same as those provided by law for townships, so far as they are not inconsistent with the provisions of this act. There shall be a new registration of the voters of the city of Muskegon on the Saturday next preceding the first Monday in April in the year nineteen hundred and one and each fourth year thereafter, and of the voters of said city, or any ward thereof at such other times as may be rendered necessary by a change in the boundaries of any of the voting precincts.
New registration.	
Annual election.	SEC. 4. A city election shall be held on the first Monday in April following the adoption of this charter, and on the first Monday in April of each year thereafter, at such places in the several voting precincts of the city as the council shall designate.
Special election.	SEC. 5. Special elections may be held in and for the city or in and for any ward thereof, at such times and place or places as the council shall by resolution designate, the purpose and object of which shall be fully set forth in said resolution.
Duty of council.	SEC. 6. Whenever a special election is to be held, the council shall cause to be delivered to the inspectors of election in each voting precinct where the same is to be held, a notice signed by the recorder specifying the officer or officers to be chosen, and the question or proposition, if any, to be submitted to the electors, and the day and places at which such election is to be held; the manner of holding the election shall be the same as at the annual city election.
Notice, contents of, etc.	SEC. 7. Notice of the time and place of holding any election, and of the officers to be elected, and the questions to be voted upon, shall be given by the recorder at least ten days before such election by posting such notices in three public places in each voting precinct in which the election is to be held. In case of a special election, the notice shall set forth the purpose and object of said election as fully as the same are required to be set forth in the resolution calling such election.
Ballot boxes.	SEC. 8. The council shall provide and cause to be kept by the recorder, for use at all elections; suitable ballot boxes of the kind required by law to be kept and used in townships.
Opening and closing polls.	SEC. 9. On the day of elections held by virtue of this act, the polls shall be open in each voting precinct at the several places designated by the council at seven o'clock in the morning, and shall be kept open until five o'clock in the afternoon, at which hour they shall be closed. The inspectors shall
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SEC. 10. Three competent electors of each voting precinct, to be designated by the council, not more than two of whom shall belong to the same political party, shall be inspectors of election in each voting precinct, and of the State, county and district election. And in case of the absence of one or more of such inspectors, the electors present shall choose viva voce from their number one or more competent persons who shall be an elector or electors of such voting precinct, not being members of the same political party, to fill such vacancy or vacancies, to whom shall be administered the constitutional oath of office by either of said inspectors, or by any person authorized to administer oaths.

Inspectors of election.

Vacancies.

SEC. 11. The inspectors shall elect one of their number chairman of said board, and one of their number clerk of said board, and they may appoint one other competent elector to act as clerk also of said board. Members and clerks of the board of registration, and the inspectors and clerks of election shall each receive such compensation for their services as the council shall allow, provided that members and clerks of the board of registration shall not receive to exceed the sum of dollars each for each registration, and that inspectors and clerks of election shall not receive to exceed the sum of five dollars each for each election.

Officers of board.

Compensation.

SEC. 12. No person shall act as a member of the board of registration, inspector of election, or clerk of either of said boards until he shall have taken the constitutional oath of office.

Oath.

SEC. 13. All registration and elections under this act shall be conducted, controlled and governed by the general laws of the State except as herein otherwise provided.

How conducted.

SEC. 14. Immediately after closing the polls, the inspectors of election shall, without adjournment or recess, publicly canvass the vote received by them and publicly declare the result and shall at once, without adjournment or recess, make one certificate of the number of votes given for each person for the several offices in and for said city, and also one certificate of the number of votes cast for the several ward officers, together with a statement and certificate, in duplicate, setting forth the whole number of votes cast for any other office, or on any other question voted upon at such election, which certificates and statements shall be immediately filed in the office of the recorder of the city, together with the poll lists and the register of electors, and the boxes containing said ballots: Provided however, That a duplicate of the statements and certificates last above mentioned shall at the same time be filed in the office of the county clerk of said county.

Canvass of vote.

Certificate.

Proviso.

SEC. 15. The manner of canvassing said votes shall be the same as prescribed by law for canvassing votes at the general elections held in this State, and the inspectors shall in all other respects, except as herein otherwise provided, con-

Manner of canvassing votes.

	form to the duties required of inspectors of elections at such general elections.
Meeting of council, purposes of.	SEC. 16. The council shall convene on Thursday next succeeding such election, at the usual hour and place of meeting, and proceed and canvass said returns, and from the statements and certificates so filed with the recorder shall determine the result of the election upon each question and proposition voted upon, and what persons were duly elected at said election to the several offices respectively within and for said city, and the wards thereof. Thereupon the recorder shall make duplicate certificates under the corporate seal of the city, of such determination, showing the result of the election upon any question or proposition voted upon and what persons were declared elected to the several offices respectively, one of which certificates he shall file in the office of the county clerk of the county of Muskegon, and the other shall be filed in the office of the city recorder.
Recorder's certificate.	
Where filed.	
Who deemed elected.	SEC. 17. The person receiving the greatest number of votes for any office in the city or ward as shown by said statements and certificates shall be deemed to have been duly elected; and if there shall be no choice for any office by reason of two or more candidates having received an equal number of votes, the council shall, at the meeting mentioned in the preceding section, determine by lot between such persons, which shall be considered elected to such office.
Recorder to notify persons elected.	SEC. 18. It shall be the duty of the recorder within five days after the meeting and determination of the council, as provided above, to notify each person elected in writing of his election; and each of said officers so elected and notified shall within ten days after such notice take and subscribe the constitutional oath of office and deliver the same to the said recorder who shall file the same in his office.
Oath of office.	

TITLE III.

OFFICERS.

Officers elected.	SECTION 1. The officers of said city shall be one mayor, one recorder, one treasurer, one assessor, and two justices of the peace, who shall be designated city officers and shall be elected by the qualified voters of the whole city; also one alderman, one supervisor, and one constable in each ward, who shall be designated ward officers, and shall be elected by the qualified voters of the respective wards. Said officers shall be elected as follows, namely: The mayor and constables shall be elected annually and shall hold their offices one year and until their successors shall be elected and qualified. The recorder, treasurer, assessor, alderman, and supervisor, shall be elected biennially and shall hold their respective offices for two years and until their successors
Terms of office.	

shall be elected and qualified. No person elected to fill a vacancy shall hold any office provided for in this act for a longer time than during such unexpired term, unless again elected. Proviso.

SEC. 2. The following officers shall be appointed by the council on the nomination of the mayor, as provided in section twenty-three of title seven of this act, namely: One city attorney, one city accountant, one chief of police, one street commissioner, one superintendent of water department, one chief of fire department, one city physician, one city engineer, one harbor master, one director of the poor, one pound master, one sealer of weights and measures: Provided, Two directors of the poor may be appointed. The same person may be appointed to the offices of chief of police and street commissioner, and the same person may be appointed superintendent of water department and chief of fire department. The council may also from time to time provide by ordinance for the appointment of such other officers for such term as may be provided in the ordinance, whose election or appointment is not herein specially provided for, as the council shall deem necessary for the execution of the powers granted by this act; the officers last aforesaid shall be appointed and may be suspended and removed as provided in section twenty-three of title seven of this act. The powers, duties, and compensation of all officers appointed under such ordinance not otherwise provided for in this act, shall be prescribed by such ordinance. Appointed.
Proviso.
Powers, duties, etc.

SEC. 3. All justices of the peace heretofore elected or appointed in said city shall continue in office for the term for which they were severally elected or appointed. At the first election under this act and at the spring election every two years thereafter, one supervisor shall be elected from each of the first, third, fifth, and seventh wards, who shall hold their office for the term of two years. At the first election under this act there shall be elected one supervisor from each of the second, fourth, sixth and eighth wards, who shall hold their office for the term of one year. At the spring election in the year nineteen hundred and two and every two years thereafter, one supervisor shall be elected from each of the second, fourth, sixth and eighth wards, who shall hold their office for the term of two years. At the spring election in the year nineteen hundred and two and every two years thereafter, there shall be elected one alderman from each of the first, third, fifth and seventh wards, who shall hold their office for the term of two years. At the spring election in the year nineteen hundred and two there shall be elected one alderman from each of the second, fourth, sixth and eighth wards, who shall hold their office for the term of one year. At the spring election in the year nineteen hundred and three and at the spring election every two years thereafter, one alderman shall Justices to continue in office.
Supervisor, term of office.
Alderman, term of office.

be elected from each of the second, fourth, sixth and eighth wards, who shall hold their office for the term of two years. At the spring election in the year nineteen hundred and two and every four years thereafter, and at the spring election in the year nineteen hundred and three and every four years thereafter, and at no other time, except to fill vacancy, there shall be elected one justice of the peace.

Assessor, term of office. SEC. 4. The city assessor elected at the general election in November, nineteen hundred, shall hold his office until the first day of January, nineteen hundred and three. At the general election in November, nineteen hundred and two, and at the general fall election every two years thereafter, an assessor shall be elected in and for said city, and shall hold his office for the term of two years from the first day of January after said election.

Mayor and term of office. At the spring election in the year nineteen hundred and one, and annually thereafter, there shall be elected one mayor, who shall hold his office for the term of one year.

Recorder, term of office. There shall be elected at the spring election in April, nineteen hundred and two, one city recorder for a term of two years and who shall hold his office until the first Monday in May in the year nineteen hundred and four, and biennially after said election there shall be elected one city recorder who shall hold his office for the term of two years.

Treasurer, term of office. At the spring election in the year nineteen hundred and one and every two years thereafter, there shall be elected one city treasurer who shall hold his office for the term of two years.

Terms of appointed officers. SEC. 5. The term of office of all officers nominated by the mayor and confirmed by the council, except officers appointed to fill vacancies, shall be for the period of one year, from the first day of May of the year in which such appointment is made, unless a different term of office shall be provided in this act or in the ordinance creating the office. Officers appointed to fill vacancies in any office shall hold said office for the balance of the unexpired term only.

Terms of justices. SEC. 6. The justices of the peace elected for the full term of four years shall enter upon the duties of their office on the first day of May next after the election. In all cases, not herein otherwise provided, officers shall respectively enter upon the duties of their office, on the fifteenth day of April next after their election, and upon taking the oath of office, and giving the security, if any, required for the performance of their duties.

TITLE IV.

QUALIFICATIONS, OATH AND BOND OF OFFICE.

Qualifications of officers. SECTION 1. No person shall be elected or appointed to any office, unless he be an elector of the city, and if elected or appointed for a ward must be an elector thereof.

SEC. 2. Justices of the peace shall within ten days after Oath.
the date of their election take and file an oath of office with the county clerk of Muskegon county in the same manner as in case of justices of the peace elected in townships. All other officers, elected or appointed to any office in the city, shall, within five days after receiving notice of their election or appointment take and subscribe the constitutional oath of office, and file the same with the recorder.

SEC. 3. Every justice of the peace, within the time limited Official bonds.
for filing his official oath, shall file with the county clerk the security for the performance of his official duties, required by law, in case of justices of the peace, elected in townships, except that such security shall be first approved by the council; and in case such justice shall enter upon the execution of his office, before having filed his official oath and the security aforesaid, he shall be liable to the same penalties as are provided in case of justices of the peace elected in townships.

SEC. 4. Every officer, elected or appointed to an office in Officers to
the city, before entering upon the duties of his office, and file bonds.
within the time prescribed for filing his official oath, shall file with the city recorder such bond as may be required by the council and with such sureties as shall be approved by the council, for the due performance of the duties of his office, and to duly account for such property and money as shall come into his hands by virtue of his office: Provided, That the Proviso.
bond of the city recorder shall be deposited with the city treasurer.

SEC. 5. At the first meeting of the council after the ex- Neglect to
piration of the time in which any official bond or oath of file.
office is required to be filed, the recorder shall report in writing to the council the names of persons elected or appointed to office who have neglected to file such oath and bond.

SEC. 6. The council may at any time require any officer, New bonds.
whether elected or appointed, to execute and file as above provided, new or additional bonds in the same or in such further sums, with new and such further security as said council may deem proper for the interests of the city. A failure to comply with such requirements shall subject such officer to immediate removal by the council.

TITLE V.

RESIGNATIONS, REMOVALS AND VACANCIES.

SECTION 1. Resignations of elective officers and officers ap- Resignations.
pointed by the council shall be made to the council, subject to its approval and acceptance.

SEC. 2. If any officer shall cease to be a resident of the Removal,
city, or if elected or appointed in and for a ward shall remove cause for
therefrom during his term of office, the office shall thereby vacancy.
be vacated.

When office
declared
vacant.

SEC. 3. If any person elected to or appointed to office shall fail to take and file the oath of office, or shall fail to give the bond or security required for the due performance of the duties of his office, within the time herein limited therefor, the council may declare the office vacant, unless previous thereto he shall file the oath and give the requisite bond or security.

Vacancies,
how filled.

SEC. 4. A vacancy in the office of any alderman, occurring more than ninety days before any city election, shall be filled by a special election. A vacancy in the office of justice of the peace shall be filled at the next annual city election after such vacancy occurs. A vacancy in the office of mayor, any supervisor, or any other office, except alderman and justice of the peace, shall be filled by election by the council, within twenty days after the vacancy occurs.

Vacating
office not to
release
sureties.

SEC. 5. The resignation or removal of any officer shall not, nor shall the appointment or election of another to the office, release such officer or his sureties from any liability incurred by him or them.

When officer
to deliver
books, etc.,
to successor.

SEC. 6. Whenever any officer shall resign or be removed, or the term for which he shall have been elected or appointed shall expire, he shall, on demand, deliver over to his successor, all the books, papers, moneys and effects in his custody, in any manner appertaining to his office. Every officer, appointive or elective, violating the provisions of this section, shall be deemed guilty of a misdemeanor, and may be proceeded against in the same manner as public officers generally, for like offenses, under the general laws of the State.

TITLE VI.

DUTIES AND COMPENSATION OF OFFICERS.

MAYOR.

Powers and
duties of.

SECTION 1. The mayor shall be the chief executive officer of the city. He shall preside at the meetings of the council, and shall from time to time give the council information concerning the affairs of the city, and recommend such measures as he may deem expedient. It shall be his duty to exercise supervision over the several departments of the city government, see that the laws relating to the city and the ordinances and regulations of the council are enforced. He shall be ex officio a member of the board of supervisors of Muskegon county, and shall have the same powers, perform the same duties and receive the same compensation as township supervisors. He shall be a member of the board of review of assessments for said city.

SEC. 2. The mayor shall be conservator of the peace, and Idem. may exercise within the city the powers conferred upon sheriffs to suppress disorder, and shall have authority to command the assistance of all able bodied citizens to aid in the enforcement of the ordinances of such city, and to suppress riot and disorderly conduct.

SEC. 3. He may suspend any officer nominated by him Idem. and confirmed by the council at any time for neglect of duty or improper conduct, and may suspend any policeman for like cause. He shall have authority at all times to examine and inspect the books, records and papers of any agent, employe or officer of the city, and shall perform all such duties as are or may be prescribed by the ordinances of the city.

SEC. 4. In the absence or disability of the mayor, the Acting mayor. president pro tempore of the council shall be the acting mayor, and shall have the same powers and perform the same duties as are conferred upon the mayor: Provided, That said president pro tempore shall make no nomination to office during the temporary absence of the mayor from the city, unless such absence exceed a period of twenty days.

ALDERMEN.

SEC. 5. The aldermen of said city shall be members of the Duties. council and attend the meetings thereof, and act upon committees, when thereunto appointed by the mayor or council. As conservators of the peace they shall aid in maintaining quiet and good order in the city, and in securing the faithful performance of duty by all officers of the city. No alderman Not hold other office. shall be elected or appointed to any other office in the city, except mayor, during the term for which he was elected as alderman.

RECORDER.

SEC. 6. The recorder shall keep the corporate seal and all Duties, etc., of. the documents, official bonds, papers, files and records of the city not by this act or the ordinances of the city entrusted to some other board or officer. He shall be clerk of the council and clerk of all committees thereof; he shall attend its meetings, record its proceedings, ordinances and resolutions in proper books provided therefor. He shall countersign and register all licenses granted and countersign all bonds issued and shall when required make and certify under the seal of the city, copies of the papers, records and files kept in such office, and such copies when so certified by him shall be evidence in all cases of the matters therein contained to the same extent as the original would be. He shall possess and As clerk. exercise the powers of the township clerk so far as the same are required to be performed within the city, and he shall have all the powers within the city conferred by law on

Claims filed with.	notaries public. All claims against the corporation shall be filed with him for adjustment. After examination thereof, he shall report the same with all accompanying vouchers, counter-claims of the city in his possession, to the council for allowance, and when allowed shall draw and sign all warrants upon the city treasurer for the payment thereof, designating thereon from which fund payment is to be made, and shall take proper receipts therefor. When any taxes or money shall be levied, raised or appropriated, the recorder shall report the amount thereof to the city treasurer, stating the objects and funds for which it is levied, raised or appropriated and the amount thereof to be credited to such fund.
To draw warrants.	
Taxes.	
When to act as justice.	SEC. 7. In case of a vacancy in the offices of both justices of the peace of the city, the recorder shall, during the time of such vacancy, act as justice of the peace and police justice of said city and during such time shall have the same powers, duties and jurisdiction as are prescribed by the general law of the State, and the charter of said city, relative to justices of the peace and justice courts, and the police courts of said city.
Powers, duties, etc.	
Compensation.	SEC. 8. While acting as justice of the peace and police justice, as provided in the preceding section, said recorder shall receive in addition to his compensation for services as recorder, such sum as the council may allow, not exceeding the sum of fifty dollars per month, which shall be in full for all services rendered by him as such justice of the peace and police justice.

CITY ACCOUNTANT.

Duties of. Record of bonds.	SEC. 9. It will be the duty of the city accountant to keep the financial accounts of the city. He shall keep a record of all bonds issued by the city with the number, amount and dates when issued, when payable, and all coupons attached thereto, and shall keep an account in proper books of all such bonds and bonded indebtedness, for the information of the council and city treasurer. He shall also in like manner keep an account of all funds, taxes, assessments, receipts and expenditures, and shall report to the council and city treasurer at the first regular meeting of said council in each month the condition of the several funds of said city, and shall at the last regular meeting of the council in March in each year make out and present a full statement and balance sheet of the financial accounts of the city, with such recommendations and explanations as may be proper to add thereto. He shall keep a complete set of books showing the financial condition of said city in its various departments and funds, its resources and liabilities, with proper classification thereof of each fund or appropriation for any distinct object or expenditure or class of expenditure. When any such fund or appropriation
Annual statement.	
Keep complete set of books.	

has been exhausted by warrants already drawn thereon, or by appropriations he shall report at once such fact to the council. He shall keep an account with the city treasurer, in which he shall charge said treasurer with the whole amount of taxes, special or general, levied in said city and placed in his hands for collection, all sums received for licenses, rents and all other moneys which may be paid into the city treasury, and all bonds, coupons, notes, leases, mortgages, interest and bills receivable by said city of whatever nature, and shall in connection with the city treasurer and recorder check and balance the several books of account of said city on the first of each and every month. Immediately upon entering upon the duties of his office, he shall make a complete inventory of all the property of said city and shall charge all other officers of the city with all funds, moneys and property placed or being in their possession, and shall require a statement of such officers at least once in each year and as much oftener as may be deemed by himself or by the council for the best interests of the city and the safety of its property. He shall give said treasurer and all other officers credit for all moneys disbursed upon showing proper vouchers, and for all property consumed, and destroyed by ordinary wear and use, and not otherwise. He shall have a seat in the council; shall attend meetings thereof, and may speak upon all matters that come before it relative to the duties of his office, and may serve upon committees thereof, but shall have no vote in said council. He shall perform all such other duties relating to the finances of the city and pertaining to his office, as the council may require. In case of the death, absence from the city, disqualification or inability to act, of said accountant, the mayor shall, in writing, appoint a competent and suitable person as acting accountant, who shall perform all the duties of said office, and receive the same compensation during the absence, disqualification, or inability to act, of said accountant, or until said vacancy is filled in the manner prescribed by this act.

Account with
treasurer.

Monthly
balance.

To make
inventory.

Statement
of officers.

To attend
council
meetings.
Serve upon
committees.

Mayor, when
to appoint.

CITY TREASURER.

SEC. 10. The city treasurer shall be, by virtue of his office, the collector of all taxes and assessments, both general and special, levied and made within said city, and of all moneys for the use of the city water and support of the water department. He shall be receiver and custodian of all moneys paid to or belonging to said city for any purpose whatever. His term of office shall commence on the fifteenth day of April next succeeding his election.

To collect
taxes.

Term of office,
when to begin.

SEC. 11. He shall keep an accurate account, under proper heads, of all moneys received, and all warrants paid by him. He shall exhibit to the council at its last regular meeting in March of each year, and at such other times as the council

To keep
account, etc.

Financial statement.	shall require, a full and true account of the receipts and expenditures from and after the date of the last annual report, and also the state of the treasury, which account shall be left to a committee for examination, and if found correct shall be filed.
Money drawn by warrants.	SEC. 12. The treasurer shall pay no money out of the treasury, except in pursuance of and by authority of law, and upon warrants signed by the recorder and countersigned by the mayor or acting mayor, and shall pay no warrants on any fund after the same has been exhausted.
Disposition of money.	SEC. 13. All funds of the city, collected or received by him, shall be deposited in such bank or banks as shall be designated by the council. The bank so designated shall give security to be approved by the council for the safe keeping and repayment, upon proper warrants, signed and countersigned as above provided. The council may require additional security from said bank at any time, or may revoke said designation, when in its opinion the interests of the city and the safety of its funds shall require it. All moneys so deposited shall at all times be subject to withdrawal upon warrants, signed and countersigned as above provided. The interest upon such deposits shall be paid into the city treasury and credited to the contingent fund of said city. All moneys belonging to the special funds of said city or realized from special assessments shall be deposited and kept in said bank or banks in an account, separate and distinct from the account of the moneys belonging to the general funds of said city. No warrant for the payment of any expense or obligation, payable from the general funds of said city, shall be drawn against, or paid out of, the account of such moneys belonging to the special funds of the city, or realized from special assessments.
Special funds.	

CHIEF OF POLICE.

Subject to direction of council and mayor. Duties.	SEC. 14. The chief of police shall be subject to the direction of the council, as in this act provided; he shall likewise be subject to the directions of the mayor. It shall be his duty to see that all ordinances and regulations of the council made for the preservation of quiet, good order and for the safety and protection of the inhabitants of the city, are promptly enforced. As peace officer he shall be vested with all the powers conferred upon sheriffs for the preservation of quiet and good order. He shall serve and execute all process directed or delivered to him in all proceedings for violations of the ordinances of the city, and such process may be served anywhere within the State.
Idem.	SEC. 15. He shall suppress all riots, disturbances and breaches of the peace, and for that purpose may command the aid of the citizens in the performance of such duty. He shall arrest all disorderly persons in the corporation and pur-

sue and arrest, in any part of this State, any person fleeing from justice. He shall arrest upon view and with or without process, any person found in the act of committing any offense against the laws of the State, or the ordinances of the city, and forthwith take such person before the proper magistrate or court for examination or trial, and may arrest and imprison persons found drunk in the streets, or public places, until they shall become sober.

SEC. 16. He shall report in writing and on oath to the council at its first meeting in each month, all arrests made by him and the cause thereof, and all persons discharged from arrest during the month, also the number remaining in confinement for breaches of the ordinances of the city, and the amount of all fees collected by him. All moneys received or collected by him shall be paid into the city treasury during the same month when received, and the treasurer's receipt therefor shall be filed with the city recorder. In addition, he shall perform such other and further duties pertaining to his office as the council may require.

Report
arrests.

SEC. 17. He may collect and receive the same fees for services performed by him as are allowed to constables for like services, but in no case shall such fees be charged to or be paid by the city, and the same shall be paid into the city treasury as above provided.

Fees.

CITY ATTORNEY.

SEC. 18. The city attorney, in addition to other duties prescribed in this act, shall be the legal adviser of the council and of all officers and boards of the city, and shall act as the attorney and solicitor for the corporation in all legal proceedings in which the corporation is interested, and he shall prosecute for offenses against the ordinances of said city. Said city attorney, ex officio, shall be a member of the board of supervisors, of the county of Muskegon, and he shall attend all the meetings of said board, and be entitled to vote upon all matters that may be brought before the board of supervisors, and shall exercise the same privileges and perform the same duties as other members of said board, and for attending all such meetings, he shall receive the same compensation authorized by law to be paid to township supervisors for similar services, to be audited by the board and paid by the county. It shall also be his duty to see that the annual appropriation bill is properly passed, as provided for in title nine, of this charter, and to supervise the assessment and tax rolls provided for in this charter, and when in his opinion, said rolls have been properly completed, he shall endorse his approval on each of said rolls. He shall be present at the meetings of the board of supervisors at the time said board shall equalize said assessment roll and supervise such equali-

Additional
duties.

Member of
board of
supervisors.

Compensation.

Passage
of annual
appropriation
bill
Certify to
tax rolls.

Rejected taxes.

zation in behalf of the city. He shall see that all rejected taxes upon the lands in the city are ordered properly reassessed. He shall see that the city treasurer makes a proper return to the county treasurer as required in said charter, and under the general tax law of this State, and he shall also appear in behalf of the city and act in conjunction with the State's attorney in resisting any objections that may be made to the taking of a decree for the sale of any lands within the city for delinquent taxes.

CITY ENGINEER.**Powers and duties.****To make maps, plats, etc.****Assistants.**

SEC. 19. The city engineer shall have and exercise within the city like powers and duties as are conferred by law upon county surveyors, and the like effect and validity, shall be given to his official acts, surveys and plats as are given by law to the acts and surveys of county surveyors. He shall make all necessary plats, maps, surveys, diagrams and estimates, plans and specifications required by the council or officers of said city relating to public improvements, buildings, grounds, streets and alleys of said city, and shall perform such other duties as the council may by resolution prescribe or direct. He may, subject to the approval of the council, appoint such assistants as the duties of his office may require.

CONSTABLES.**Powers and duties.****ObeY orders of mayor.**

SEC. 20. The constables of said city shall have the like duties, powers and authority in matters of civil and criminal nature, as are conferred by law upon constables in townships, and shall receive the like fees for their services. They shall perform the same duties and have like powers in all cases arising under ordinances of the city as in criminal cases, and be entitled to the same fees. They shall obey all lawful orders of the mayor, aldermen, and chief of police, and of any court of justice, or justice of the peace, exercising jurisdiction in causes for breaches of the ordinances of the city, and shall discharge all duties required of them by any ordinance, resolution or regulation of the council.

ASSESSOR.**Powers and duties.****Office of. Member of board of review and supervisors.**

SEC. 21. The assessor of said city shall have the same powers and authority and shall perform the same duties as are granted to and imposed upon the supervisors of townships in this State with reference to assessment of property and levying of taxes and not inconsistent with the provisions of this act. He shall have an office at the city hall. He shall be a member of the board of review and shall have a vote upon all questions arising before said board, and shall be a member

of the board of supervisors for the county of Muskegon, and shall exercise the same privileges and perform the same duties as any other member of said board. He and the city engineer and one of the aldermen of said city, to be designated by the council, shall constitute a board of assessors, and shall make all special assessments in said city, unless the council shall otherwise direct. The assessor and recorder of said city shall perform, within said city, such duties in the making of lists of persons to serve as petit jurors and grand jurors for each year as are now required by law of supervisors and clerks of townships, and supervisors and aldermen of wards of cities.

Board of
assessors.

To make list
of jurors.

SUPERVISORS.

SEC. 22. The supervisors of said city shall have the same powers and authority and shall perform the same duties as the supervisors of townships, except the assessing of property and the spreading of taxes. They, together with the assessor, mayor and city attorney shall constitute the board of review of assessments for said city. They shall be members of the board of supervisors of Muskegon county and shall perform, as supervisors, such duties as by this act shall be required of them.

Powers and
duties.

Board of
review, who
to constitute.

DIRECTORS OF THE POOR.

SEC. 23. The directors of the poor shall have the care of persons who have become public charges and have gained a legal residence in said city. They shall expend the moneys appropriated for the relief of indigent persons, subject to the direction of the council. They shall keep a record in which shall be entered the name, age and place of residence of every person applying to them for relief. Such record shall also contain a statement of any property, real or personal, belonging to the person so seeking relief; together with names and residences of any relatives of such indigent person, legally responsible for the support of such person. They shall have the custody of the almshouse and all other property belonging to or used by said city, for the care of the paupers therein. They shall file a bond in such sum as the council shall determine. The directors of the poor shall present a written report to the council at the first meeting of said council in each month, setting forth the names of all persons to whom relief has been extended during the preceding month, and the amounts expended for rent, fuel, clothing and provisions. Such report shall be investigated by the council. They shall in the month of March, in each year, present to the council a detailed statement of their expenditures during the preceding year. The directors of the poor shall be subject to such further regulations as the council shall prescribe.

Duties, etc.

To keep
record.

Custody of
property.

To file bond.

Monthly
report.

Annual.

JUSTICES OF THE PEACE.

Jurisdiction
and duties.

SEC. 24. The justices of the peace of said city shall have and exercise therein the same jurisdiction and powers in all civil and criminal matters, causes, suits and proceedings, and shall perform the same duties as are or may be conferred upon or required of justices of the peace by the general laws of this State, except as herein otherwise provided. They shall have jurisdiction to hear, try and determine any civil action, within the limitations as to amount and nature of action fixed by the general laws of the State, where either of the parties to said action reside in the county of Muskegon.

Removal or
suspension.

SEC. 25. Any justice of the peace may be suspended or removed from his office by the circuit court for the county of Muskegon for neglect or refusal to pay over any fines, moneys, penalties or forfeits collected by him, or for any official misconduct, on charges specially preferred by the council, a copy of which charges shall be served upon said justice in such manner as the circuit court shall direct, and opportunity shall be given such justice to be heard in his defense.

Fines and
fees, how
disposed of.

SEC. 26. All the fines imposed by either of said justices, in prosecutions for the violation of any city ordinance, and the fees and earnings of every kind of each and either of said offices shall belong to the city of Muskegon and shall be, by each and either of said justices, or any official collecting the same, turned over to the treasurer of said city on the first business day of each month, and each of said justices shall, at the same time, make a detailed report to the council of the earnings and fees of his said office for the month then passed.

Offices of,
when
abolished.Records, etc.,
where filed.

SEC. 27. At the expiration of the term for which each of the present justices of the peace of said city were elected, each of said offices shall be and hereby is abolished and discontinued; the files, records and dockets belonging or pertaining to each of said offices hereby abolished and discontinued shall, at the expiration of the term for which either of said justices was elected, be filed with the justice of the peace whose election is provided for by this act and whose election shall occur at the election next preceding the expiration of such term, and said last named justice shall be and hereby is authorized and empowered to issue execution upon any judgment, or make transcript of any judgment appearing upon said dockets, in the same manner and with like effect as if judgment had been rendered by him.

POLICE JUSTICE.

Justices of
peace to be.

SEC. 28. The justices of the peace of said city shall be the police justices. Each of said justices shall have jurisdiction to hear, try and determine prosecutions for the violation of

the ordinances of said city and for the recovery of any fines, penalties or forfeitures thereunder.

SEC. 29. All fines, penalties or forfeitures, which may be recovered by the city in any justice or police court in prosecutions for the violation of city ordinances shall be paid by such justice or police justice into the city treasury on or before the expiration of the first business day of each month succeeding the month during which said fine, penalty or forfeiture was collected; and the said police justice, or acting police justice, shall make monthly reports to the council of his doings in the premises.

Disposition of
fines.

Monthly
report.

STREET COMMISSIONER.

SEC. 30. The street commissioner, except as otherwise ordered by the council, shall have the personal supervision of the construction and repair of all grading, paving, improving, cleaning and care of streets, alleys and public grounds, the construction and repair of sidewalks, the cleaning and deepening of ditches, drains and gutters, and shall oversee and do whatever may be required of him, in relation thereto by the council. He shall make a report to the council in writing, and under oath, once in each month, giving an exact statement of all labor performed by him or under his supervision, and charges therefor, the amount of material used, the expense thereof, and the street or place where such material was used or labor performed, and showing the items and purpose of all expenses incurred since his last preceding report, and no payment for labor or for services performed or for expenses incurred shall be made, until reported as aforesaid. The council shall fix and determine the compensation of said street commissioner.

Duties.

Report.

Compensation.

CHIEF OF FIRE DEPARTMENT.

SEC. 31. The chief of the fire department shall be subject to the direction of the council, and shall have the supervision and direction of the fire department, the custody, care and management of the engines, apparatus and property of said department, subject to such rules and regulations as the council may, from time to time, prescribe. It shall be his duty to see that all engines, apparatus and property entrusted to his custody, care and management, are kept in good order and efficiency, and that the rules and regulations and ordinances relative to the fire department and to the prevention and extinguishment of fires are duly observed and executed, and to make to the council detailed and particular reports of the state of the department, the conduct of the members thereof, and such other matters as may be required by the rules and regulations relating thereto.

Subject to
direction of
council.

Duties of.

Report.

HARBORMASTER.

Powers and duties. SEC. 32. It shall be the duty of the harbormaster to enforce all such ordinances and regulations as the council may lawfully enact and prescribe in respect to and over the navigable waters, harbors, wharves, docks, landings and basins within said city, and in respect to the navigation, trade and commerce of said city, and the council shall prescribe the powers and duties of such harbormaster and fix his compensation.

Compensation, who to fix.

COMPENSATION OF OFFICERS.

Of mayor. SEC. 33. The officers of said corporation shall be entitled to receive out of the city treasury the following sums in full payment for their services: The mayor shall be entitled to receive an annual salary of two hundred dollars. The recorder shall receive such sum as the council may allow, not exceeding one thousand dollars per annum, which sum shall be full compensation for all services performed by him as such recorder. The city accountant shall receive such sum as the council may allow, not exceeding nine hundred dollars per annum, which sum shall be in full compensation for all services performed by him as such city accountant. The city attorney shall receive such sum as the council may allow, not exceeding eight hundred dollars per annum, and the sum so allowed shall be his compensation for all the services required of him as city attorney and required by his office for the term thereof: Provided however, The council may, by a two-thirds vote of all the aldermen elect, employ such assistants for the city attorney as by said vote of the council may be deemed from time to time necessary. The chief of police shall receive such compensation as the council may allow, not exceeding the sum of seventy-five dollars per month, which shall be in full for all services rendered by him. The assessor shall receive such compensation as the council may allow, not exceeding eighteen hundred dollars per annum, and the sum so allowed shall be his compensation in full for all services required of him as city assessor and by his office. The city treasurer shall receive such sum as the council may allow, not exceeding eighteen hundred dollars per annum, and the sum so allowed shall be his compensation for all the services required of him as city treasurer and by his office. Each justice of the peace shall receive such compensation as the council may allow, not less than four hundred dollars and not exceeding nine hundred dollars per annum, together with all office rent and heat and lighting thereof free, and the sum so allowed shall be his compensation in full for all services required of him as justice of the peace and police justice and by his office, and he shall collect such fees as are by law provided for and allowed to justices of the peace in matters

Of recorder.

Of city accountant.

City attorney.

Proviso.

Of chief of police.

Of assessor.

Of treasurer.

Of justices.

Disposition of fees.

coming before him as justice of the peace or police justice, which fees shall belong to said city and shall be paid into its treasury as in this act provided. Constables shall be allowed the same fees as are allowed to like officers of townships, unless in this act otherwise provided. The directors of the poor shall receive such sums as the council shall allow, not exceeding thirty dollars per month, or provided one only is appointed, he shall receive not exceeding forty dollars per month. The aldermen shall not be allowed to receive more than one hundred dollars per year each as compensation for their services. The council shall determine the fees and salary of all officers elected or appointed, provided for in this act, whose fees or salary is not herein otherwise provided for. The superintendent of the water department shall receive such sum as the council shall allow, not exceeding seventy-five dollars per month, as compensation for his services as superintendent of said department. The chief of the fire department shall receive such sum as the council shall allow, not exceeding seventy-five dollars per month, for his services as such chief of said department. The city engineer shall receive such sum as the council shall allow, not exceeding four dollars per day while actually engaged in work for the city. The salary of any officer of said city shall not be decreased during the term of office for which he was appointed or elected, nor shall the salary of any officer be increased during his term of office except by a two-thirds vote of all the aldermen elect, and then not to exceed the amounts in this charter named. In case, however, any salary shall be so increased such increase shall apply pro rata to the unexpired portion only of the term of office affected.

Fees allowed
constables.

Of directors
of poor.

Of aldermen.

Of other
officers.

Superin-
tendent
of water
works.

Of chief of
fire depart-
ment.

City engineer.

Not to be
decreased.

How
increased.

TITLE VI.

SEC. 34. In all cases where officers of the city receive a fixed salary as compensation for their services, all fees paid to them by virtue of their office shall be accounted for by them and paid into the city treasury to the credit of the contingent fund.

Fees, how
accounted for.

TITLE VII.

POWERS AND DUTIES OF THE COUNCIL.

SECTION 1. The mayor and aldermen of said city shall constitute the council. The mayor shall be president of the council, and preside at its meetings. He shall have the right to vote upon the confirmation of his own appointments, but shall have no other vote therein, except in case of a tie, when he shall have the casting vote.

Council,
president of.

Proviso.	therefor, and to be properly registered: Provided, That nothing herein contained shall authorize the council to prohibit any farmer from selling without a license the produce of his own farm, except milk, within said corporate limits. And
Further proviso.	provided further, That nothing herein contained shall authorize the council to require any person to pay any license or other fee for the privilege of selling milk;
Nuisances.	Ninth, To regulate, abate and remove nuisances of every kind, and to compel the owner or occupant of any grocery, tallow chandler's shop, butcher's stall, soap factory, tannery, stable, privy, hog-pen, sewer, or other offensive or unwholesome structure, house or place, to cleanse, remove or abate the same from time to time as often as it may deem necessary for the health, comfort and convenience of said city;
Slaughter houses.	Tenth, To direct the location of slaughter houses, markets and buildings for the storing of gunpowder and other combustible and explosive substances;
Combustible materials.	Eleventh, To regulate, restrain and prohibit the buying, carrying and selling gunpowder, fire crackers or fireworks manufactured and prepared therefrom, or other combustible materials, the exhibition of fireworks and the discharge of firearms, and lights in barns, stables and other buildings, and to restrain the making of bonfires in streets, yards and public grounds;
Encumbering of streets, etc.	Twelfth, To prevent the encumbering of streets, sidewalks, cross-walks, lanes, alleys, bridges, aqueducts, wharves or slips
Water craft.	in any manner whatever, and to regulate and provide for the anchorage, movement, shifting and removal of all water craft being and lying in the Muskegon lake and river, or in front of
Railroads.	or in any dock, wharf or slip in said city; to determine and designate the route and grades of any railroads to be built in said city and to regulate the use of locomotives, engines, and cars upon the railroads within said city; to prescribe and fix the rate of speed at which locomotives, engines, and cars may be run upon the railroads within the limits of said city;
Bathing.	Thirteenth, To prohibit or regulate bathing in any public waters or in any open or conspicuous place, and any indecent exposure of the person in the city;
Dogs.	Fourteenth, To provide for the issuing of licenses to the owners and keepers of dogs, and to compel the owners and keepers thereof to pay for and obtain such license and to authorize the killing of dogs not so licensed, and to regulate and prevent the running at large of dogs;
Dead carcasses.	Fifteenth, To prevent any person from bringing or depositing within the limits of said city any dead carcass or other unwholesome or offensive substance, and to require the removal and destruction thereof, if any person shall have on his premises such substance, or any putrid meats, hides and skins of any kind, and on his default to authorize the removal and destruction thereof as a public nuisance, by some officers of the city;

Sixteenth, To compel all persons to build sidewalks in front of premises owned or occupied by them, and to require such persons to keep the same in repair and clear from snow, ice, dirt, wood or obstructions; Sidewalks.

Seventeenth, To regulate the ringing of bells, the blowing of whistles, and the crying of goods and other commodities at sale at auction; and to prevent disturbing noises in the streets; Ringing of bells, etc.

Eighteenth, To prohibit, restrain, or regulate within such parts of the city as it may deem expedient, the building, rebuilding, enlarging, repairing or replacing or placing of wooden buildings therein, or the removal of any buildings upon and along the streets of said city; to prohibit, restrain or regulate the erection of any building of a combustible nature that is being erected, or intended to be erected in such manner or in such a locality as to endanger the safety of said city; to condemn, to cause to be removed or torn down any building of a combustible nature that may have been erected in such a manner or in such a locality as to endanger the safety of said city; to regulate and establish the line upon which buildings may be erected upon any street, lane or alley in said city, and prevent the erection of such buildings nearer the street, lane or alley than such line, and to impose a fine upon any owner, mover or builder not exceeding five hundred dollars for the violation of such regulation; Fire limits.

Nineteenth, To prevent and punish horse racing and immoderate driving in any street, and to authorize the stopping and detaining of any person who shall be guilty of immoderate driving or riding in any street; to require any horse or mule attached to any vehicle, or standing in any of the streets, lanes or alleys of said city to be securely fastened, watched or held; Horse racing.

Twentieth, To prescribe the fees to be paid by butchers for license; to prohibit the sale of unwholesome meat, poultry, fish, vegetables or other articles of food or provisions, impure, spurious or adulterated wines, spirituous liquors or beer, or knowingly keeping and offering same for sale: Unwholesome food. Provided, Nothing herein contained shall authorize the council to restrict in any way the sale of fresh and wholesome meats by the quarter or carcass within the limits of the city; Proviso.

Twenty-first, To license and regulate wharf boats, and to regulate the use of tugs and other boats used in and about the harbor and within the jurisdiction of the city; Wharf boats.

Twenty-second, To establish or authorize, license and regulate ferries to and from the city, or any place therein, or from one part of the city to another, and to regulate and prescribe from time to time the charges and prices for transportation of persons and property thereon; Ferries.

Twenty-third, To regulate and license taverns and houses of public entertainments, and all saloons, restaurants and eating houses; Hotels, etc.

Vehicles.	Twenty-fourth, To license and regulate all vehicles of every kind used in the transportation of any person or property for hire in the city;
Inspection of meat, etc.	Twenty-fifth, To provide for and regulate inspection of meats, poultry, fish, butter, cheese, milk, lard, vegetables, flour and provisions;
Inspection of weights and measures.	Twenty-sixth, To regulate the inspection or weighing and measuring of brick, lumber, fire-wood, coal, hay, and any article of merchandise;
Sealing weights and measures.	Twenty-seventh, To provide for the inspection and sealing of weights and measures, and enforce the keeping and use of proper weights and measures by vendors;
Sextons, etc. Hacks.	Twenty-eighth, To prescribe rules to govern sextons and undertakers for burying the dead, hacks and their drivers, omnibuses and their drivers, scavengers, porters, chimney sweeps and their fees and compensation;
Licensing carts, peddlers, etc.	Twenty-ninth, To make regulations for licensing and regulating carts, drays, cabs, hacks and all carriages or vehicles kept for use or hire, auctioneers, peddlers, pawnbrokers, auctions, peddling, taverns, hotels, victualling houses, saloons or other places or houses for furnishing meals, food or drink, and keepers of billiard tables and ball alleys not used for gaming;
Solicitors for passengers.	Thirtieth, To license and regulate soliciting for passengers or other baggage for any hotel, tavern, public house, boat or railroad; also draymen, cartmen, truckmen, porters, runners, or otherwise, or cabs, hacks, omnibuses, carriages, sleighs, express vehicles, or every other vehicle used or employed for hire and to fix the amounts and rates of their compensation;
Numbering buildings.	Thirty-first, To provide for and regulate the numbering of buildings upon the streets and alleys, and to compel the owners or occupants of buildings to affix numbers on the same;
Lighting street.	Thirty-second, To make regulations for the lighting of the streets and alleys and the protection and safety of public and street lamps and lights; to establish, organize and maintain an electric lighting plant and department, and to purchase the necessary grounds, apparatus and machinery, to erect and provide for the erection of the necessary buildings therefor and appurtenances thereto and to appoint the necessary officers therefor and provide for the government thereof;
Electric lighting plant.	
Relative to placing of poles, etc.	Thirty-third, To regulate the placing and using of all telegraph, telephone, electric light poles and wire; to regulate and license telephone companies, telegraph companies, electric light companies, gas companies and to prescribe certain rules for the regulation thereof; the council shall have power in granting any franchise whatever to any individual, individuals, corporation, association or company, to reserve the right to impose and collect reasonable annual license fees;

Thirty-fourth, To preserve the salubrity of the waters of Muskegon lake and river and other waters within the city; to prohibit the depositing therein of all filthy and other matter tending to render said water impure, unwholesome or offensive; to preserve and regulate the navigation of said waters within the limits of said city; to prohibit the depositing or keeping therein any structure, earth or substance tending to impair the navigation thereof, and to remove all obstructions that may at any time be found therein, and to direct and regulate the stationing, enclosing and mooring of vessels and laying out of cargoes and ballast from the same; to fill up all low grounds, lots covered or partially covered with water, or to drain the same as may be deemed expedient; and to regulate the cutting of ice in Muskegon lake; and to prohibit and prevent by sufficient penalty, the cutting and vending of impure ice from said waters or elsewhere within said city;

Preserving
salubrity
of waters.

Navigation.

Filling low
ground.

Cutting ice.

Thirty-fifth, To provide for public parks and squares, make, grade, improve and adorn the same, and all grounds in said city belonging to or under the control of said city, and to control and regulate the same consistently with the purposes and objects thereof;

Public parks.

Thirty-sixth, To provide for taking the census of the inhabitants of said city as it may see fit, and to direct and regulate the taking of the same;

Census.

Thirty-seventh, To establish a grade for streets and sidewalks, and cause the same to be constructed in accordance therewith;

Street grades,
etc.

Thirty-eighth, To prescribe the duties of all officers appointed by the council, not otherwise herein provided for, and their compensation, and the penalty for failing to perform such duties;

Duties of
certain
officers.

Thirty-ninth, To prescribe all bonds and sureties to be given by the officers of the city for the discharge of their duties, the time for executing the same, in cases not otherwise provided for by law;

Bonds.

Fortieth, To authorize and regulate the demand and receipt by officials of such fees and costs and in such cases as the council may deem reasonable;

Fees.

Forty-first, To fix and regulate the fees of jurors and witnesses in any proceeding under this act or under any ordinance of the council;

Idem.

Forty-second, To sell or otherwise provide for disposing of all dirt, filth, manure and debris, lying in or gathered from the highways, streets, avenues, lanes, alleys or public spaces, and all earth to be removed therefrom, or from the public squares and grounds of said city, in grading, paving or otherwise improving the same;

Filth, etc.,
disposition of.

- Awnings, etc.** Forty-third, To control, prescribe and regulate the mode of constructing and suspending awnings and the exhibition and suspension of signs;
- Use of streets, etc.** Forty-fourth, To control, prescribe and regulate the manner in which the highways, streets, avenues, lanes, alleys, public groups and spaces within said city shall be used, and to provide for the preservation of and prevention of wilful injury thereto;
- Trees.** Forty-fifth, To direct and regulate the planting and provide for the preservation of trees in said city;
- Signs and vehicles.** Forty-sixth, To prevent the exhibition of signs on canvass [canvas] or otherwise in and upon any vehicle, standing or traveling upon the streets of said city;
- Dangerous amusements.** Forty-seventh, To prohibit all practices, amusements and doings in said streets, having a tendency to frighten teams or horses, or dangerous to life or property; to remove or cause to be removed all walls and structures that may be liable to fall so as to injure life or property;
- Stands for vehicles.** Forty-eighth, To prescribe and regulate the places or stands in the streets of said city within which any vehicles may be kept for hire;
- Pistols, etc.** Forty-ninth, To prohibit and punish the use of toy pistols, air guns, sling shots and other dangerous toys, implements or weapons within said city;
- Paupers.** Fiftieth, To provide for the protection and care of paupers and to prohibit and prevent all persons from bringing to the city from any other place any pauper or paupers, or any person likely to be a charge upon said city and to punish therefor; and to authorize the removal from the city of all paupers not a legal charge upon said city;
- Almshouses.** Fifty-first, To establish, organize and maintain an almshouse department, to purchase necessary grounds, erect necessary buildings either within or without the city limits, and to appoint the necessary officers therefor, and to provide for the government thereof;
- Jails, etc.** Fifty-second, To establish and build a jail, workhouse and houses of correction, for the confinement of offenders, and to erect the necessary buildings therefor, and control and regulate the same; appoint all necessary officers for taking charge of the same and of the persons confined therein; to prescribe their powers and duties and provide for their removal from office and the filling of vacancies; to provide for the imprisonment and confinement in said jails, workhouses and houses of correction, or in the common jail of the county of Muskegon, or in any appropriate State institution of all persons liable to be imprisoned under this act or any ordinance of said council, whenever convicted of a violation thereof; to compel any person confined in any such jail, workhouse or house of correction, or in the common jail of the county of Muskegon to work upon the streets and alleys of
- Labor of prisoners.**

said city, or in and upon the buildings and premises belonging to said city during the time the detention of such person is authorized;

Fifty-third, To regulate the burying of the dead, and to compel the keeping and return of bills of mortality; also returns of births and marriages; Burial of dead. Births, etc., returns of.

Fifty-fourth, To preserve order in the streets and other public places in said city, at the arrival and departure of railroad cars or trains, and to prescribe, regulate and maintain places in which drivers, porters, runners, solicitors, agents and baggage collectors for the hotels or public houses or express companies, draymen, cabmen, cartmen, omnibus drivers and solicitors for passengers or baggage, with drays, carts, cabs, carriages, sleighs or other vehicles shall stand, and to prohibit or prevent them from entering and driving within any railroad depot or station grounds to solicit passengers or baggage; Order in public places.

Fifty-fifth, To survey and establish the boundaries of the city and of all highways, streets, avenues, lanes, alleys, public parks, squares and spaces in said city; to prohibit all encumbrances and encroachments upon the same by buildings, fences and of partition and parapet walls and walls of buildings, fences, or in any other manner, and to provide for the removal of the same; To establish boundaries.

Fifty-sixth, To regulate the construction of partition fences and of partition and parapet walls and walls of buildings, and thickness of walls; to regulate the construction of chimneys, hearths, fire places, fire arches, ovens, and the putting up of stoves, stove pipes, kettles, boilers, or any structure or apparatus that may be dangerous in promoting or causing fires; to compel and regulate the cleaning of chimneys and chimney flues, and to fix the fees therefor; to compel and regulate the construction of ash houses and deposits of ashes; to compel the owners of houses and other buildings to have scuttles on their roofs, and stairs and ladders leading to the same; to appoint one or more officers to enter into all buildings and enclosures to discover whether the same are in a dangerous state, and to cause such as are in a dangerous state to be put in a safe condition; and to authorize any of the officers of the city to keep all idle and suspicious persons away from the vicinity of fires, and to compel officers of the city and other persons to aid in the extinguishment of fires, and the preservation of property exposed to danger therefrom; Regulate construction of buildings, etc. Ash houses. Precaution against fires.

Fifty-seventh, To erect and repair and regulate public wharves and docks at the end of streets and on the property of the corporation; to regulate the erection and repair of private wharves and docks so that they shall not extend into Lake Muskegon, or river, beyond certain lines to be established by the council; Wharves and docks.

To prevent
sale, etc., of
obscene
pictures.

Further
authority.

Plumbing,
etc.

Sewers, etc.

Proviso.

Fifty-eighth, To prevent and prohibit in the streets or elsewhere in said city the show, sale, crying or exhibition of indecent or obscene pictures, drawings, engravings, paintings and indecent, immoral and scandalous books, pamphlets, newspapers and literature; and further, the council shall have authority to enact all ordinances and make all such regulations consistent with the law and constitution of the State as they may deem necessary for the safety, good order, good morals, and good government of the city, and the general welfare of the inhabitants thereof; but no exclusive rights, privileges or permits shall be granted by the council to any person or to any corporation for any purpose whatever;

Fifty-ninth, To regulate plumbing, house-draining and ventilation, to appoint an inspector of plumbing, and to prescribe his duties and provide for his compensation; to direct and regulate the location, construction and alteration of all cellars, slips, barns, private drains, cesspools, sinks, privies and water closets; to compel all owners or occupants of houses or premises to fill up, drain, cleanse, alter, relay or repair the same, and to compel the owners or occupants of houses or premises having water closets attached thereto to use the water from the water mains of the city in order to properly cleanse the same; to compel the owners or occupants of houses or premises to repair or renew all defective, broken or worn out plumbing, and to provide sufficient and proper ventilation and plumbing in and around their buildings and premises, or cause the same to be done by some proper person designated in the ordinance governing the same, and assess the expense thereof on the lot, building and premises having such cellar, slip, barn, private drain, cesspool, sink, privy or water closet thereon, or having the repairs, renewals and insufficiencies in the drainage, ventilation or plumbing made in the building or on the lot or premises, which assessment shall be a lien on the lot, building and premises and appurtenances thereto, until paid, to be collected in the manner and in accordance with the provisions of sections twenty, twenty-one and twenty-two of title fourteen of this act, for the assessment of the expense of constructing and repairing side-walks; to direct and regulate the construction of lateral sewers or drains for the purpose of effectually draining all lots, cellars, yards, low grounds and sinks within the city, whenever it may be necessary: Provided, That if such lateral sewer or drain be laid or constructed through any of the streets, lanes, alleys, courts, avenues, public grounds or public places adjoining or in front of the premises through which such sewer or drain shall be ordered constructed, the expense thereof shall be assessed on such lots and premises benefitted thereby, which assessment shall be a lien upon such lots and premises until paid, and shall be collected in the same manner as like assessments imposed by the authority of the council, are collected;

Sixtieth, To enter into contracts for the depositing of city funds, and to make contracts for other purposes, whenever authorized to do so by the provisions of this act. Disposition of funds.

SEC. 25. The council, when it shall deem it necessary, may from time to time assign by ordinance certain places within the city for the exercise of any trade, business or employment, offensive to the inhabitants or prejudicial to good morals or the well being of society, or dangerous to the public health; and may forbid the exercise thereof in places not so assigned, and may change or revoke such assignment at pleasure, and whenever a business carried on in any place so assigned, or any other place in the city, shall become hurtful and dangerous to the health or prejudicial to the peace and good order, or otherwise objectionable to the inhabitants of the city in the neighborhood, the council may prohibit the further exercise of such business or employment at such place. Location of dangerous and offensive business.

SEC. 26. The council may prescribe the terms and conditions upon which licenses may be granted and may exact and require payment of such sum for any license as they may deem proper; the person receiving the license shall, before the issuing thereof, execute such bonds to the corporation in such sum as the council shall prescribe with one or more sufficient sureties, conditioned for the faithful observance of the charter of the corporation, the ordinances of the council, and otherwise conditioned as the council may prescribe. Every license shall be revokable by the council at pleasure, and when any license shall be revoked for non-compliance with the terms and conditions upon which it was granted, or on account of any violation of any ordinance or regulation passed or otherwise ordered by the council, the person holding such license shall, in addition to all other penalties imposed, forfeit all payments made for such license. Licenses.
Bond.
Licenses may be revoked.

SEC. 27. No license shall be granted for any term beyond the first Monday in May next thereafter, nor shall any license be transferable, and the council may provide for punishment by fine or imprisonment, or both, of any person who, without license, shall exercise any occupation, trade or do anything for or in respect to which any license shall be required by any ordinance or regulation of the council. Penalties.
Terms of license.

SEC. 28. All moneys received for or on account of any license granted for any person shall be paid into the city treasury to the credit of the contingent fund. License moneys, how credited.

SEC. 29. The city of Muskegon shall have power to take, accept and hold any real estate or personal estate, whether by gift, bequest or devise, for any purpose connected with the parks, cemeteries or public grounds of said city, or for any public institution or charity, and when accepted, it shall be the duty of the council of said city to use and appropriate the same for the purposes and uses mentioned in the instrument, giving, granting or devising the same, and for no other purpose. Power to hold real and personal estate.

Wooden buildings, construction of.	SEC. 30. The council may prescribe by ordinance from time to time, limits or districts within the city, within which wooden buildings and structures shall not be erected, placed or enlarged, and to direct the manner of constructing buildings within such districts, with respect to protection against fire, and the material of which the outer walls and roof shall be constructed. Any building composed of wood or other combustible material erected in or removed into any part or portion of said city, wherein the erection or removal of such building is or may be prohibited by any ordinance of the council, shall be deemed and is hereby declared to be a public nuisance, and the council may take measures to abate and remove the same.
When declared nuisance.	
Location of shops, lumber yards, etc.	SEC. 31. The council may also prohibit, within such places or districts as they may deem expedient, the location of shops, the prosecution of any trade or business, the keeping of lumber yards and the storing of lumber, wood or other easily inflammable material in open places, where in the opinion of the council the danger from fire is thereby increased; they may regulate the storing of gunpowder, oil and other combustible and explosive materials, and the use of lights in buildings, and generally may pass and enforce such ordinances and regulations as it may deem necessary for the preservation and suppression of fires.
Storing of combustibles.	
Public health.	SEC. 32. The council shall enact all such ordinances as may be deemed necessary for the preservation and protection of the health of the inhabitants of said city, and to prevent the introduction of or spread of malignant, infectious or contagious diseases and for the removal or seclusion of persons having such diseases, or who may be suspected to be liable to communicate the same, either beyond the city limits or to such hospital or place of treatment within the city as the board of health may prescribe.
Remove or abate nuisances.	SEC. 33. The council shall have power to prevent and remove or abate all nuisances dangerous to life or health; it may require any person, corporation or company, causing any such nuisance, or the owner or occupant, of any lot or premises upon which any such nuisance may be found, to remove or abate the same upon such notice, and within such time and in such manner as it may by ordinance or resolution direct.
Disposition of fines, etc.	SEC. 34. All moneys received by said city for fines, penalties and forfeitures shall be paid into the city treasury to the credit of the contingent fund.
Who may administer oath.	SEC. 35. The presiding officer of the council, and the chairman of any committee or special committee thereof shall have the power to administer any oath or take any affidavit in respect to any matter pending before the council or such committee.

SEC. 36. Whenever the council shall deem it expedient, it may by ordinance, enacted by a concurring vote, of not less than two-thirds of the aldermen elect, redistrict said city into wards, and change the boundaries of any ward; but in no case increase or decrease or change the number of wards in said city: Provided, That no such change or redistricting shall be made within ninety days next preceding any election which may be held under the provisions of this act.

Redistricting city.

SEC. 37. For all purposes of police, quarantine and health regulation and control, the said city shall have jurisdiction over the waters of Lake Michigan to the distance of one mile from boundary of said city, and for that purpose all ordinances enacted by the council shall extend over said waters with the same force and effect as within the territory incorporated by this act; and all process and notices of every kind and description in this act, or in such ordinances provided for, may be served on said waters in like manner as within said city.

Extent of jurisdiction over waters of Lake Michigan.

SEC. 38. The council shall have power to prohibit and prevent obstructions and incumbrances in, and encroachments upon the public streets and alleys of said city, and to remove the same and to punish those who shall obstruct, encumber and encroach, or maintain any encroachments upon or in any such streets or alleys, and to require all such persons to remove such obstructions, incumbrances or encroachments.

Prohibit obstructions in streets.

SEC. 39. The council may regulate the making of all openings in and removals of the soil of public streets, alleys and public grounds, for the laying or repair of sewers, drains, tunnels, gas pipes, water pipes or other pipes, or for any other purpose, and may prohibit or prevent all such openings or removals of the soil; except by the express permission of the council, and at such times and upon such terms, conditions and regulations as it may prescribe.

Powers relative to street openings for repairing sewers, etc.

SEC. 40. The council may regulate the use of the public streets, avenues, alleys and public grounds of said city, subject to the right of travel and passage thereon; to designate the places where wood, coal, hay or other articles may stand for sale; to regulate traffic and sales in the streets and upon the sidewalks; to regulate and prohibit all such sports, amusements, proceedings and gathering of crowds in the streets, alleys or public places, as may interfere with the lawful use thereof, or render travel or passage therein inconvenient or unsafe; to prohibit and prevent the running at large of horses, cattle, swine, dogs, geese and other domestic animals or fowls in the streets or elsewhere in the city, and to impose penalties upon the owners or keepers thereof permitting the same, to cleanse and purify the streets and alleys and to prohibit, prevent, remove or abate all nuisances therein, and to require the authors and maintainers thereof to remove the same, and

Regulate use of streets and alleys.

Regulate traffic and sales upon sidewalks.

Animals running at large.

To enforce police regulations.	to punish them and generally to prescribe and enforce all such police regulations over and in respect to the public streets as may be necessary to secure the good order and safety of persons and property in the lawful use thereof, and to promote the general welfare. And in addition to all the powers herein granted, the council shall have the same authority and powers over and in respect to the public streets, alleys, parks and places as are conferred by law upon highway commissioners in townships.
Authority relative to parks, etc.	
Signs, awnings, posts and poles.	<p>SEC. 41. The council shall have the power to regulate and prohibit the use, display, the placing of signs, advertisements, banners, awnings, awning posts, telegraphs, telephone and electric light poles and other things upon, in, over, above or across streets, sidewalks, crosswalks, alleys and public grounds of said city, and to regulate and prohibit the construction and use of openings in the sidewalks, and of all vaults, structures, and excavations under the same, and to prohibit and prevent obstructions, incumbrances or other things or nuisances upon the sidewalks of said city.</p>
City may own and operate lighting plant.	<p>SEC. 42. It shall be lawful for the city of Muskegon to purchase, or to construct and to operate and maintain an electric or other lighting plant, for the purpose of supplying the city and the inhabitants thereof with proper lights; for municipal, domestic and other purposes. It may borrow on the faith of the city, not to exceed seventy-five thousand dollars, and issue its bonds therefor, to be used for such purposes and for no other purposes. No limitation in this act contained as to the amount of the bonded indebtedness of said city shall apply to bonds which may be issued under the provisions of this section. Such bonds shall be signed by the mayor and countersigned by the recorder, and issued in such denominations as the council shall direct. They shall run for a period not exceeding twenty years and shall bear interest at a rate not to exceed four per cent per annum, and shall be sold under the direction of the council for not less than par value: Provided, That nothing in this section contained, shall be construed to authorize the incurring of any bonded indebtedness on the part of the city, unless the qualified electors of said city voting on such question at any regular election, or special election called for such purpose, shall have authorized the incurring of the same by a majority of their votes cast upon such question. Provided further, That in case such a plant shall be established there shall, at the time of the establishing thereof, be created a sinking fund for the purpose of paying the principal of the bonded debt for the purpose of constructing such plant; and from the revenue received from the users of such lights a certain fixed amount, to be determined by the council, shall be paid into such sinking fund at regular stated periods to be fixed by the council. And there shall also be paid into such sinking fund, annually,</p>
May issue bonds therefor.	
Proviso.	
Further proviso.	

from the contingent fund of said city, a certain amount to be determined by the council. Such sinking fund shall be kept inviolate and be used for the payment of the principal of said bonded debt and for no other purpose.

SEC. 43. The council shall fix and determine the rates to be paid by users of electric lights, and the terms and the conditions on which lights or lighting shall be supplied by said city. Said rates shall be paid to the treasurer of said city, at such time or times, according to the terms and conditions aforesaid, as the council may determine, and shall be credited by said treasurer to the proper fund of said city. The council shall make all needful rules and regulations for the government of said electric lighting plant and department and the guidance of its officers, agents, and employees, and for the collection of electric lighting rates.

Council to
fix rates,
make rules,
etc.

SEC. 44. The council may require any person or persons applying to the city, or the director of the poor, for aid, who shall own any property, either personal or real, to give security upon such property for the repayment of any moneys or property which may be paid or turned over to him or them. Said city of Muskegon is hereby authorized and empowered to receive and hold, as security or otherwise, any property, either personal or real, which may be pledged or conveyed to it in accordance with the provisions of this section.

City may hold
property as
security.

TITLE VIII.

ORDINANCES AND THEIR ENFORCEMENT.

SECTION 1. The style of all ordinances shall be, "the council of the city of Muskegon ordain," etc. All ordinances shall require for their passage the concurrence of a majority of all the aldermen elect; the time when any ordinance shall take effect shall be prescribed therein; such time, when by the terms of the ordinance a penalty is imposed, shall be not less than ten days after its first publication; all process for the enforcement of any ordinance of said city shall be "in the name of the people of the State of Michigan."

Style of.
Majority vote.

When to take
effect.

SEC. 2. Every ordinance shall be written or printed in a plain or legible manner, before the same shall be passed by the council, but no ordinance shall be adopted by the council at the same meeting at which it is proposed, except by unanimous consent of all the aldermen then in office, and after any ordinance is adopted by the council it shall be approved and signed by the mayor, and in his absence from the city by the president pro tem. Such ordinance shall become operative without the approval of the mayor, unless he shall, within ten days after its passage, lodge in the office of the recorder his reasons in writing why the same should not go into effect;

Relative to
passage.

	in which case, it shall not become operative until it shall again be submitted to the council and receive the affirmative vote of two-thirds of all the aldermen elect.
To be recorded and filed.	SEC. 3. All ordinances, when approved by the mayor, or when the said ordinances have become operative without the approval of the mayor, shall be immediately filed in the office of the recorder, who shall record the same in a separate book to be kept for that purpose, to be known as the "book of ordinances of the city of Muskegon." It shall not be necessary to enter any ordinance at length in the minutes or journal of the council, but reference may be had thereto by its title, in regard to all action upon the passage thereof.
Publication of.	SEC. 4. Within ten days after the passage of any ordinance, the same shall be published in some newspaper printed and circulated within the city, and such publication shall be continued in such paper for two successive weeks. Proof of
Proof of publication.	the requisite publication of any ordinance, resolution or other proceeding of the council may be made by the affidavit of a printer or publisher of any paper in which the same has been published, and such affidavit, when duly filed with the recorder, shall in all cases, courts and proceedings, be prima facie evidence of the legal publication of such ordinance, resolution or other proceeding. All copies of the ordinances of
Prima facie evidence.	the council purporting to have been printed and published by its authority, shall in all courts and proceedings be received as prima facie evidence thereof, and of their legal enactment and publication.
Judicial notice.	SEC. 5. In all courts having authority to hear, try and determine any matter or cause arising under the ordinances of said city, and in all proceedings relating thereto, judicial notice shall be taken of the enactment, existence, provisions and continuing force of such ordinances.
Violation of ordinance, penalty for.	SEC. 6. When by the provisions of this act, the council has authority to pass ordinances for any purposes, it may prescribe fines, penalties and forfeitures not exceeding five hundred dollars, or imprisonment not exceeding three months, or both, in the discretion of the court, together with the costs of prosecution for each violation of any such ordinance, and may provide that the offender on failing to pay any such fine, penalty or forfeiture, and the costs of prosecution may be imprisoned in the county jail of Muskegon county, in the jail, workhouse or house of correction of said city, or the Detroit house of correction for a term not exceeding ninety days.
Costs of prosecution.	SEC. 7. The costs of prosecution that may be imposed, under the provisions of the preceding section, shall be the same as those fixed by law in justice courts, in criminal cases.
Penalties, etc., how recovered.	SEC. 8. Whenever a pecuniary penalty or forfeiture shall be incurred for violation of any ordinance, and no provision shall be made for the imprisonment of the offender upon con-

viction thereof, such penalty or forfeiture may be recovered in an action of debt or assumpsit. Whenever a corporation shall incur a penalty or forfeiture for a violation of any ordinance the same may be sued for in one of the actions aforesaid.

SEC. 9. Any action for the recovery of a penalty or forfeiture for the violation of any ordinance shall be brought in the name of the city of Muskegon, and may be commenced by summons. The form, time of return, and service thereof, the pleadings and all proceedings in the cause, shall, except as otherwise provided herein, conform to and be the same, as near as may be, as in like actions for the recovery of penalties for violations of the laws of the State. Upon rendition of judgment against the defendant, execution shall issue forthwith, and except when against a corporation, shall require that, if sufficient goods and chattels cannot be found to satisfy the same, the defendant be committed to the county jail of Muskegon county, the jail, workhouse or house of correction of said city, for a period not exceeding ninety days, unless execution be sooner paid, or he be discharged by the due course of law. Idem.

SEC. 10. Prosecution for violation of the ordinances of said city may also in all cases, except against corporations, be commenced by a warrant for the arrest of the offender; such warrant shall be in the name of the people of the State of Michigan, and shall set forth the offense complained of, and be substantially of the form and be issued upon complaint made as provided by law in criminal cases cognizable by justices of the peace; and the proceedings relating to the arrest and custody of the accused during the pendency of the suit, the pleadings and all proceedings upon the trial of the cause and in procuring the attendance and testimony of witnesses, and the rendition of judgment and execution thereof, and the enforcement of the same shall, except as otherwise provided by this act be governed by and conform, as nearly as may be, to the provisions of law regulating the proceedings in criminal cases cognizable by justices of the peace. Prosecutions,
how com-
menced.

Proceedings.

SEC. 11. If the accused shall be convicted, the court shall render judgment thereon and inflict such punishment, either by fine or imprisonment, or both, not exceeding the limit prescribed in the ordinance violated, as the nature of the case may require, together with such costs of prosecution as the court shall order. Judgment
and costs.

SEC. 12. The city of Muskegon shall be allowed the use of the county jail of Muskegon county for the confinement of persons liable to imprisonment under the ordinances thereof, or under any of the provisions of this act, and the sheriff or other keeper of such jail shall receive and safely keep any person committed thereto as aforesaid, until lawfully discharged. Use of county
jail.

Setting forth
ordinance in
complaint.

Statement.

Appeal from
judgments.

Fines, etc.,
disposition of.

Process, who
may serve.

SEC. 13. It shall not be necessary in any suit, proceeding or prosecution for the violation of any ordinance of the city, to state or set forth such ordinance, or any provision thereof, in any complaint, warrant, process or pleading therein; but the same shall be sufficiently set forth or stated by reciting its title and the date of its passage or approval, and it shall be a sufficient statement of the offense or cause of action in any such complaint or warrant, to set forth substantially with reasonable certainty, the time and place, the act or offense complained of, and to allege the same to be in violation of an ordinance of said city, referring thereto by its title and the date of its passage or approval.

SEC. 14. In all prosecutions, and in all suits to which the city shall be a party, brought to recover any penalty or forfeiture for violation or breach of any ordinance, and in any suit commenced by summons, warrant or other process, to which the city shall be a party, brought in justice court, the like proceedings shall be had thereon, except as herein otherwise provided, and the judgment rendered therein may be appealed from in like manner as in similar cases tried before justices of the peace, except that the city of Muskegon shall not be required to give any bond.

SEC. 15. All moneys collected for fines, penalties or forfeitures or judgments, shall be paid into the city treasury to be disposed of as the council shall direct. Justices of the peace receiving any such fines and neglecting or refusing to pay over the same within thirty days thereafter, shall be deemed guilty of a misdemeanor and shall be punished accordingly.

SEC. 16. All process issued by any justice of the peace to enforce any of the ordinances of the said city shall be directed to the chief of police of the city of Muskegon, or any constable of the county of Muskegon, and such process may be executed by any of said officers anywhere within the State, and shall be returnable the same as other similar processes issued by justices of the peace.

TITLE IX.

FINANCE AND TAXATION.

Fiscal year.

SECTION 1. The fiscal year of the city of Muskegon shall commence on the first day of July in each year.

Council may
raise money.

SEC. 2. The council shall have authority within the limitations herein prescribed to raise annually by taxation within the corporation such sums of money as may be deemed necessary to defray the expenses and pay the liabilities of the city, and to carry into effect the powers in this act granted.

SEC. 3. The revenues raised by general tax upon all the Funds. property in the city, or by loan to be paid by such tax, shall be divided into the following general funds:

First, Contingent fund, to defray the contingent and other Contingent. expenses of the city, for the payment of which from some other fund no provision is made;

Second, Fire department fund, to defray the expenses of Fire purchasing grounds, erecting engine houses thereon, purchasing department. engines and other fire apparatus, and all other expenses necessary to maintain the fire department of the city;

Third, General highway fund, to defray the expenses of Highway. opening, widening, extending, altering and vacating streets, alleys and public grounds, and for grading, paving, curbing, graveling, and otherwise improving, repairing and cleaning the streets, alleys and public grounds of the city, and for the construction and repair of sidewalks and crosswalks and for the care thereof;

Fourth, General sewer fund, to defray the expenses of sew- General ers, drains, ditches, and drainage, and the improvement of sewer. of water courses;

Fifth, Bridge fund, for the construction and maintenance Bridge. of bridges;

Sixth, Water fund, for the construction, extension and Water. maintenance of the waterworks, and for the maintenance of the water department and providing supplies of water;

Seventh, Public building fund, for providing for public Public buildings, and for the purchase of land therefor, and for the building. erection, preservation and repair of any such buildings, city hall, offices, prisons, watch houses and hospitals, as the council is authorized to erect and maintain, and not herein otherwise provided for;

Eighth, Police fund, for the maintenance of the police of Police. the city, and to defray the expenses of the arrest and punishment of those violating the ordinances of the city;

Ninth, Cemetery fund;

Cemetery.

Tenth, Interest and sinking fund, for the payment of the Interest and public debt of the city and the interest thereon; sinking.

Eleventh, Such other general funds as the council may General. from time to time constitute.

SEC. 4. Revenues and moneys raised by taxation in special Special funds. districts of the city shall be divided into the following special funds:

First, A street district fund, for each street district, for Street district. defraying the expenses of grading, improving, repairing and working upon the streets therein and for the payment of all street expenses, and for the building and repair of sidewalks and crosswalks which the council shall charge upon the street district, except as in this act otherwise provided;

Sewer district.	Second, A district sewer fund, for each main sewer district, for the payment of the cost and expenses of sewers and drainage in and chargeable to the main sewer district, when the city shall be divided into such districts;
Special assessment.	Third, Special assessment funds, any money raised by special assessment levied in any special assessment district or special sewer district, to defray the expenses of any work, paving, improvement, or repair or drainage therein.
Limit of general tax.	SEC. 5. The aggregate amount which the council may raise by general taxation upon the taxable real and personal property in the city of Muskegon, for the purpose of defraying the general expenses and liabilities of the corporation (except for the payment of the public debt of the city and the interest thereon) and for all purposes for which the several general funds mentioned in section three of this title (exclusive of the taxes for the interest and sinking fund and for school, library and schoolhouse purposes) shall not, except as herein otherwise provided, exceed in any year one per cent of the assessed value of all the real and personal property in the city made taxable by law as shown by the assessment roll of the preceding year.
Limit of special taxes.	SEC. 6. In addition to the above amounts, the council may raise by special assessment in sewer districts and special assessment districts for the purpose of grading and paving, curbing, graveling and otherwise improving the streets, and for constructing sewers and drains, and making other local improvements chargeable upon the lands and property in the district, and for all other purposes for which the main sewer funds and special assessment funds are constituted, such sums as it shall deem necessary but not exceeding in any one year twenty per cent on the assessed value of the property in the sewer district or special assessment district, as the case may be, as shown by the assessment roll of the preceding year.
Estimates to be made.	SEC. 7. It shall be the duty of the council to cause estimates to be made in the month of June of each year, of all the expenditures which will be required to be made from the several general funds of the city during the next fiscal year, for the payment of interest and debts to fall due, or for lands to be acquired, buildings to be erected or repaired, bridges to be built, and for the paving of streets, the construction of sewers, making improvements and for the support of the police and fire departments, and for defraying the current expenses of the year, and the amounts that will be required to be expended from street district funds during said next fiscal year in working upon, improving and repairing the streets in the several street districts of the city, and for every other purpose for which money will be required to be paid from any of the several general funds during such fiscal year.

SEC. 8. The council shall also, in the same month, determine upon the amount required to be raised in the next general tax levy to meet any deficiencies for the current year, also the amount or part of any special assessments which it may require to be levied or reassessed in the next general assessment roll of the city upon lands in any main sewer, or special assessment district, or upon any parcel of land, or against any particular person as a special assessment.

Council to determine amount to raise.

SEC. 9. The council shall also, in said month of June, pass a resolution to be termed the annual appropriation bill, in which it shall make provision for, and appropriate the several amounts required to defray the expenditures and liabilities of the corporation for the next fiscal year, payable from the several general funds and from the street district funds as estimated and determined upon as provided in section eight of this title, and order the same or so much of said amounts as may be necessary, to be raised by a tax in the next general tax levy, or by loan, or both, and to be paid into the several general funds and street district funds of the city; but the whole amount so ordered to be raised by tax or loan, or by both, shall not, except as herein otherwise provided, exceed the amount which the city is authorized by sections five and six of this title to raise by general tax during the year. The council shall specify in such resolution the objects and purposes for which such appropriations are made, and the amount appropriated, for each object or purpose, and to each of the general funds and street district funds. The council shall also designate in the appropriation bill the sums, if any, required to be levied to meet any deficiency for the current year, and the amount or part of any special assessment or other sum which it may require to be levied or reassessed with the next general tax as mentioned in section nine of this title, and the disposition to be made of such moneys and shall also designate in said bill any local improvement which it may deem advisable to make during the next fiscal year to be paid for in whole or in part by special assessments, and the estimated cost thereof.

Annual appropriation bill.

Amount limited.

Resolutions, what to specify.

SEC. 10. After the passage of the annual appropriation bill no further sum shall be raised or appropriated, nor shall any further liability be incurred for any purpose, to be paid from any general or street district fund, during the fiscal year for which the appropriation was made, unless the proposition to make the appropriation shall be sanctioned by a majority vote of the electors of the city, or such district, as the case may be, voting upon the proposition at the next annual city election, or at any special election called for that purpose; but this section shall not prohibit the council from making any necessary repairs or expenditures, at a cost not exceeding five thousand dollars, the necessity for which is caused by an epidemic, casualty or accident, after making the annual

Raising additional sums submitted to vote.

	appropriation for the year, and for borrowing the money therefor.
Contracts, when and to whom let.	SEC. 11. No contract for the construction of any public building, sewer, paving, graveling, planking, or for the construction of any public work whatever, or for any work to be done, or for purchasing or furnishing any material, printing or supplies for said corporation, if the expenses of such construction, repairs, work, printing, material or supplies shall exceed five hundred dollars shall be let or entered into, except to and with the lowest responsible bidder, with adequate security: Provided, That in case of repairing paved street, building and repairing crosswalks, culverts, intersections and sidewalks, the council may cause the same to be done when so deemed advisable, and ordered by a vote of two-thirds of all the aldermen elect: And provided further, That the council may cause sewers to be constructed, and water mains and pipes to be constructed and laid, and may employ labor and purchase materials therefor, when so deemed advisable and ordered by a vote of two-thirds of all the aldermen elect. No contract shall be awarded under the provisions of this section to any person who is in default to the corporation upon any contract, bond, obligation or otherwise, or who is a defaulter to the corporation, or who shall be in other respects disqualified under the provisions of this act.
Proviso.	
Further proviso.	
Amount council may raise by loan.	SEC. 12. The council shall also have authority to raise money by loan in anticipation of the receipts from special assessments, for the purpose of defraying the costs of the improvement for which the assessment was levied and interest may be added thereto as a part of the cost of the improvement. Such loan shall not exceed the amount of the assessment for the completion of the whole work.
Council may issue bonds.	SEC. 13. In addition to all other loans authorized by this act, the council shall have authority to issue the bonds of the city of Muskegon to the amount of thirty-five thousand dollars for the purpose of paying existing bonds and other obligations of said city heretofore made and issued for the purpose of raising money by loan in anticipation of the receipts from special assessments levied prior to the first day of January in the year nineteen hundred, or for the purpose of refunding or extending such loans. Such bonds shall be called "special assessment refunding bonds," and shall be of such denominations as the council shall direct, and shall be issued for a period not to exceed twenty years and shall bear interest at a rate not to exceed four per cent per annum. Such bonds shall be payable from the interest and sinking fund of said city, and all moneys hereafter collected from or on account of special assessments which were levied prior to said first day of January, nineteen hundred, shall be paid into and credited to said interest and sinking fund of said city.

SEC. 14. Should any greater amount be required in any year for any public improvement or purpose, to be paid for from the general funds of the city, than can be raised by the council under the foregoing provisions of this title, such amounts may be raised by tax or loan, or partly by tax and partly by loan, if authorized by a majority vote of all the electors voting upon the question at an annual city election, or at a special election called for that purpose: Raising larger amount. Provided, Proviso. That the amount voted or raised in any year, under the provisions of this section, shall not exceed two per cent of the assessed valuation, of the property in the city, as shown by the assessment roll for the preceding year.

SEC. 15. The proposition to raise such additional amount shall be submitted to a vote of the electors by resolution of the council, distinctly stating the purpose of the proposed expenditure, the amount proposed to be raised therefor, and whether by tax or loan. Such resolution (after having been adopted by the council) shall be published in one of the newspapers of the city, and copies thereof posted in five public places in each voting precinct of the city, at least two weeks before the election, at which the vote is to be taken. Such vote shall be by ballot. Proposition submitted to vote.

SEC. 16. All moneys and taxes raised, loaned or appropriated for the purposes of any particular fund shall be paid in and credited to such fund, and shall be applied to the purposes for which such moneys were raised and received and to none other, nor shall the moneys belonging to one fund be transferred to any other fund, or be applied to any purpose for which such other fund is constituted, except when there shall be a surplus in any general fund at the close of any fiscal year. In such case the surplus shall be transferred to the interest and sinking fund should there be a deficiency in that fund, otherwise the council may apply such surplus as it shall deem proper. But whenever there shall, from any cause, be a deficiency in the police fund, fire department fund, highway fund, sewer fund, bridge fund, or water fund, the council may transfer from the contingent fund to supply the deficiency thus existing. Moneys not received or appropriated for any particular fund shall be credited to the contingent fund. Funds to be kept separate. How applied. Surplus. Deficiency. Contingent fund.

SEC. 17. No moneys shall be drawn from the treasury, except in pursuance of the authority and appropriation of the council and upon warrants signed by the recorder and countersigned by the mayor, or in case of a vacancy in the office of mayor, or in the absence of the mayor from the city, by the president pro tem. Such warrant shall specify the fund from which it is payable and shall be paid from no other fund. Moneys, how drawn. Warrant, what to specify.

SEC. 18. No warrant shall be drawn upon the treasury after the fund from which it should be paid has been exhausted; nor when the liabilities outstanding and previously incurred and payable from such fund are sufficient to exhaust it. When not to be drawn.

Bonds.	<p>SEC. 19. For any loans lawfully made, the bonds or other obligations of the city may be issued bearing a legal rate of interest. When deemed necessary by the council to extend the time of payment, new bonds or obligations may be issued in place of former bonds or obligations falling due, in such manner as merely to change, but not increase the indebtedness</p>
What to show.	<p>of the city. Each bond or obligation shall show upon its face the class of indebtedness to which it belongs, and from what fund it is payable. The city is hereby required to pay and not</p>
Payment of bonded indebtedness.	<p>extend the time of payment of, at least, ten thousand dollars of the principal sum of the present bonded indebtedness of said city, during each and every year until said bonded indebtedness shall be fully paid; and it shall be the duty of the council to make provision in each annual appropriation bill for the payment of said sum of ten thousand dollars of said indebtedness.</p>
Annual settlement by council.	<p>SEC. 20. During the month of March in each year, the council shall audit and settle the accounts of the city treasurer and other officers of the city, and the accounts also, as far as practicable, of all persons having claims against the city, or accounts with it not previously audited; and shall cause to be made a statement in detail of the receipts and expenditures of the corporation during the preceding year, which statement shall distinctly show the amount of all taxes raised during the preceding year for all purposes, and the amount raised for each fund, the amount levied by special assessments and the amounts collected on each, and the amount of money borrowed, and upon what times and terms and for what purposes; also the items and amounts received from all other sources during the year. Said statement shall also show the amount and items of all indebtedness outstanding against the city, and to whom payable, and with what rate of interest, and such other information as shall be necessary to a full understanding of the financial concerns of the city.</p>
Statement, what to contain.	

TITLE X.

ASSESSMENT AND COLLECTION OF TAXES.

Assessor, duties of.	<p>SECTION 1. The assessor of the city of Muskegon shall in each year make and complete an assessment of all the real and personal property within said city liable to taxation, under the laws of this State, and of all the property of any person liable to be assessed therein, in the same manner as required by law for the assessment of property in the townships of this State, and in so doing he shall conform to the provisions of law, governing the actions of supervisors of townships performing like services unless otherwise in this</p>
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act provided, which said assessment roll shall be completed on or before the first day of June in each year. The assessor shall at his own expense make three typewritten copies of said assessment roll, to each of which he shall attach his certificate, certifying that the same is a true copy of the original assessment roll of said city. The assessor shall make an index of said assessment roll, showing in alphabetical order the names of all persons against whom an assessment is made therein, and the several and respective pages in said roll upon which said assessment appears. He shall deliver said typewritten copies of said assessment roll and said index to the board of review at the time appointed for the meeting thereof, and the same shall be kept by said board for the use of taxpayers during its session. Said index shall be delivered to the treasurer when the tax roll shall be delivered to him, and the same shall thereafter be kept in his office for the use of taxpayers. The clerk of said board of review shall correct said index in such manner as to embrace therein all corrections or alterations made by the said board. In the matter of the assessment of property, the levying of taxes and the collection thereof, the city of Muskegon, except as in this act otherwise provided, shall be considered and treated as a township, under the provisions of the general laws of this State.

SEC. 2. The assessor of said city, the city attorney and the mayor and the supervisors of the several wards of said city, shall constitute a board of review of assessments. Said board of review shall organize by electing one of its members chairman, and shall elect a suitable person, not a member of said board, who shall be clerk of said board and who shall perform such duties as said board shall direct. The compensation for such services of such clerk shall not exceed two dollars per day while performing such services: Provided, That such clerk shall not be employed more than ten days after the adjournment of said board. Said board shall meet on the first Monday of June in each year, at the council room, and remain in session at least six hours each day for at least ten days, and not to exceed fifteen consecutive days. The assessor and city attorney shall serve on said board without extra compensation; the other members of said board as aforesaid shall receive as compensation two dollars per day for ten days, and no more.

SEC. 3. The recorder shall give ten days' previous notice of the meeting of said board by publishing the same in the official newspaper of said city, and by causing said notices to be posted in three public places in each voting precinct. Said notice shall specify the days during which said board will hear complaints touching the matter of assessments. During the first eight days of its session, said board of its own motion, or on sufficient cause being shown, shall add to said roll, the names of persons, the value of personal property, and the de-

When roll completed.
Copies of.

Index of roll.

Roll, copies and index delivered to treasurer.

When city considered township.

Board of review.

Chairman and clerk of.

Compensation.

Proviso.

Meeting and limit of.

Who may serve on board.

Notice of meeting.

Duty during first eight days.

scription and value of real property liable to assessment in said city, omitted from said assessment roll, or strike therefrom property improperly assessed thereon; it shall correct all errors in the names of persons, in the description of property on said roll, and in the assessment and valuation of property thereon, at the request of any person, or his agent, whose property is assessed thereon, and on sufficient cause being shown, it shall correct the assessment as to such property in such manner as in its judgment will make the valuation thereof relatively just and equal. After the expiration of the first eight days of its session, said board shall not add to said roll the name of any person nor the description of any property, nor shall it increase any assessment thereon. During the three days following the first five days of its session, said board shall hear any complaints concerning said roll or any assessment thereon. It may require any or all complaints to be submitted in writing, as in its judgment it may deem best. Said board may, upon satisfactory cause shown, strike from said roll any property not legally thereon, and may at the request of any person whose property is assessed thereon, and on sufficient cause being shown, reduce the same, and shall cause to be done whatever else may be necessary to make said roll comply with the provisions of this act and the general tax law of the State. After the expiration of the three days last above named, said board shall hear no complaints, but during the remaining days of its session shall determine from the evidence before it what changes, alterations and corrections are necessary and proper to be made in order to secure a just and true appraisement and valuation of the real and personal property in said city, and it shall incorporate such changes, alterations and corrections in said roll. Said board may make a new roll, whenever it may deem the same necessary, embracing such alterations and corrections as may have been adopted by said board. The determination and decision of said board as to all matters submitted to it, under the provisions of this act and of the general tax law of this State shall be final and conclusive, and shall not be subject to review by any court. Said board shall also have the same powers and perform like duties as are granted to and imposed upon boards of review in townships under the general law of this State, not inconsistent with the provisions of this act.

During following three days.

After expiration of above named days.

New roll.

Powers and duties.

When to adopt and endorse roll.

SEC. 4. When the board shall have reviewed and corrected the assessment roll of said city, they or a majority thereof, shall on or before the fourth Monday of June, adopt the same and endorse thereon and sign a statement to the effect that the same is the assessment roll of said city for the year in which it has been prepared and approved and said roll shall be and remain the assessment roll of said city for the purposes mentioned in this act.

SEC. 5. On or before the first day of September in each year, the recorder shall certify to the assessor the aggregate of all sums which the council require to be raised by general taxation for the year for all city purposes, and also all amounts reported to the council by the board of education, and authorized to be raised for schools, library and school purposes, and all the amounts which the council require to be assessed or reassessed in any street district, main or special sewer district, or other special assessment district, or upon any parcel of land, or against any particular person as a special assessment, or otherwise within said city, or for any unpaid special assessment, or for any lien or charge created against any person or upon any parcel of land, under any ordinance, order or resolution of the council, under the provisions of this act, together with a designation of the district, a description of the land, the person upon or against whom the several sums are to be assessed or reassessed, with such further descriptions and directions as will enable the city assessor to assess the several amounts upon the property and person chargeable therewith.

Recorder
to certify
amounts
to assessor.

SEC. 6. It shall be the duty of the city assessor, upon receipt of the certificate aforesaid, to levy in the assessment roll delivered to him as aforesaid, upon all the taxable property of said city the amounts certified to him by the recorder of said city to be raised for city, school and library purposes, placing the city taxes in one column, the school, library, one mill and schoolhouse taxes in another column, and the interest and sinking fund tax in another column, and shall also levy in the same roll upon the lands, property and persons chargeable therewith, all special assessments and sums reported to him by the recorder, as provided in this act for assessment or reassessment, and any street district or other assessments, placing all such taxes in a column of special assessments. He shall also levy and spread upon said roll upon all the taxable property in said city, the amount certified to him as necessary to be raised in said city for State, county and other taxes. The levying of such taxes shall be in accordance with the provisions of law governing the levying of taxes in townships, except as in this act otherwise provided. The several general funds mentioned in section three of title nine, shall be assessed in the aggregate under the head of "city taxes," and in a separate column so headed (except as to the interest and sinking fund, which shall be in a column in itself as above provided), the several special funds mentioned in section four of title nine shall be assessed in the aggregate under the head of "special city taxes," and in a separate column so headed all special assessments shall be assessed separately and in a column headed "special assessments." In all other respects except as in this act otherwise provided, the assessment roll shall be made in accordance with the provisions of the gen-

Assessor to
levy taxes.

How placed
on roll.

"City taxes."

"Special city
taxes."

"Special
assessments."

Assessor to certify to recorder.	eral law of the State. All special assessments shall be levied separately and the aggregate of taxes shall be carried into the last column of the roll. The assessor upon the completing of said roll shall certify to the city recorder the amounts of taxes levied in his roll for State and county purposes, and for city and school taxes, special assessments and other purposes, and the recorder shall charge the amount thereof to the city treasurer. The city treasurer shall give a bond to the county treasurer in the same manner as township treasurers are required to do, and thereupon, on or before the first Monday in December, the assessor shall deliver a certified copy of the assessment roll, with the taxes entered therein as aforesaid, to the city treasurer, with his warrant for the collection of the taxes therein annexed thereto.
Bond of treasurer.	
When roll delivered to treasurer.	
Warrant, what to contain.	SEC. 7. The warrant annexed to such roll shall command the city treasurer to collect from the several persons named in said roll the several sums mentioned in the last column thereof opposite their respective names, and to retain in his hands the amount receivable by law into the city treasury, for the purposes therein specified, and to account for and pay over to the county treasurer the amounts therein specified for State and county purposes, on or before the first day of March next following; and the said warrant shall authorize and command the treasurer, in case any person named in said tax roll shall neglect or refuse to pay his tax, to levy the same by distress and sale of the goods and chattels of such person. The roll with the warrant annexed thereto shall be known as the "tax roll."
"Tax roll."	
Notice of treasurer of receipt of roll.	SEC. 8. Upon receiving the tax roll as above provided, the city treasurer shall give immediate notice to the tax payers of the city, by publishing the same in the official newspaper of said city, and by posting copies thereof in three public places in each voting precinct that such roll has been delivered to him, and that the taxes therein levied may be paid to him at his office, at any time before the tenth day of January of the succeeding year, and that on all sums voluntarily paid before that time, he will add one per cent collection fees, and upon all taxes paid on and after said tenth day of January and on or before the tenth day of February next following, he will add two per cent collection fees; and upon all taxes paid after said tenth day of February, he shall add three per cent for collection fees. It shall be the duty of the city treasurer to be at his office from nine o'clock in the forenoon to five o'clock in the afternoon each secular day, during the months of December, January and February, and shall receive payment of such taxes as may be offered to him.
Taxes payable at office of treasurer.	
Fees.	
Office hours.	
May appoint deputy, duties, etc.	SEC. 9. The city treasurer, with the consent of the council, may appoint a deputy, who shall possess all the powers and may perform all the duties of the treasurer. Said city treasurer and his bondsmen shall be liable for all the acts and de-

faults of such deputy. Such deputy shall be paid by the treasurer. The treasurer shall have such powers and perform such duties not herein particularly enumerated, as are conferred upon township treasurers by the general law of this State.

SEC. 10. The tax roll, with the warrant attached as herein provided, shall be delivered to the city treasurer, as hereinbefore provided, if security has been given by him as required by law, or in this act provided, and if such security shall not have been given, the council shall immediately appoint some suitable person, who shall give the required security, to collect the taxes spread on such tax roll, and the person so appointed shall thereupon be entitled to receive said tax roll, and shall collect and pay over such taxes and make return of his doings thereon, in the same manner, and shall have all the powers and perform all the duties, and be subject to the same liabilities as in this act conferred upon the city treasurer, for the purpose of the collection and return and paying over of said taxes. The city treasurer, or person authorized to collect taxes, as herein provided, may in his discretion, proceed to collect the personal tax spread upon said roll at any time after the delivery to him of said roll.

Tax roll
delivered to
treasurer.

Proviso.

When per-
sonal taxes
collected.

SEC. 11. All the provisions of law respecting delinquent taxes levied in townships shall apply to all taxes, special assessments and charges created, ordered or levied in the city of Muskegon, and be returned as delinquent to the county treasurer. The city, in respect to taxes, special assessments and charges created, ordered or levied therein, and returned to the county treasurer as delinquent, shall, except as herein otherwise provided, be considered and treated as a township, and all provisions of law for the sale of lands, for the payment of taxes levied for State, county and township purposes returned delinquent, shall apply to the return and sale of property for the non-payment of delinquent taxes, special assessments and charges created, ordered or levied in the city of Muskegon, except as herein otherwise provided.

Delinquent
taxes, etc.,
governed by
general law.

SEC. 12. No general or special tax, special assessments or charges created, ordered or assessed in said city, upon any property therein, shall be held illegal or invalid, for any matter of form, in any matter not affecting the merits of the case, and which shall not injure or prejudice the rights of the party assessed; and all taxes and special assessments and charges created, ordered and assessed in said city shall be presumed to be legally assessed, until the contrary is affirmatively shown, and no such presumption shall be rebutted, or any sale for taxes, special assessments and charges created, ordered or assessed in said city, be rendered invalid by showing that any paper, certificate, return or affidavit required to be made and filed in any office, is not to be found in the office where the same ought to be filed or found, but until the contrary is proved the presumption shall be, in all such cases,

Certain taxes
not held
illegal.

that such paper, certificate, return or affidavit was made and filed in the proper office.

Poll tax. SEC. 13. The council shall have power to assess and collect from every male inhabitant in the city over the age of twenty-one, and under the age of sixty years, except paupers, idiots and lunatics, and other persons who are by law exempt, an annual capitation or poll tax, not exceeding one dollar, and the council may provide by ordinance for the collection of the same. Any person assessed for such poll tax may pay the same by one day's labor upon the streets under the direction of the street commissioner. All money raised by such

Money from, how expended. poll tax shall be expended under the direction of the council.

TITLE XI.

SPECIAL ASSESSMENTS.

Certain improvements paid from general fund. SECTION 1. The cost and expense of the following improvements, including the necessary lands therefor, viz: Public buildings for the use of the city and its several departments, public wharves and landings, and lands appropriated for streets and rights of way, shall be paid from the proper general funds of the city. When by provisions of this act the cost and expenses of any local or public improvement may be defrayed in whole or in part by special assessments upon lands fronting on and adjacent to or otherwise benefited by the improvement, such assessment may be made in the manner hereinafter specified.

Exception.

Board of assessors. SEC. 2. For the purpose of making any special assessment the council shall designate one of its aldermen, who, together with the assessor and the city engineer, shall constitute a board of assessors. The compensation of such board shall be fixed and paid by the council.

Compensation.

Apportionment of expense of improvements. SEC. 3. Whenever the council shall determine to make any necessary public improvement and defray the whole or any part of the expense thereof by special assessment, it shall so declare by resolution, stating the improvement and what part or portion of the expense thereof shall be paid by special assessment, and what part shall be paid from the general funds or from street district funds of the city, and it shall also designate the district of lands and premises, upon which the special assessment shall be levied.

Estimates to be made. SEC. 4. Before ordering any public improvement, any part of the expense of which is to be defrayed by special assessment, the council shall cause estimates thereof to be made, and also plats and diagrams, when practicable, of the work and locality to be improved, and file with the recorder for public examination; and the council shall give notice thereof, and of the proposed improvement, and of the district to be assessed therefor by publication in the official newspaper of

Notice of meeting to consider objections.

the city for at least two successive weeks, and of the time when the council will meet and consider any objections thereto. If the owners of more than one-half of the property to be assessed therefor shall object in writing thereto, no such improvement shall be made. The cost and expense of such improvement shall include the cost of surveys, plans, assessments and cost of construction. In no case shall the whole amount to be levied upon any lot or premises for any one improvement exceed twenty-five per cent of the value of such lot or land as assessed upon the assessment roll for the preceding year. Any cost exceeding such percentage which would otherwise be chargeable on such lots or premises shall be paid from the proper general fund of the city. No special assessment to defray the estimated cost of any such improvement shall be levied before the letting of the contract for the making of such improvement, or until the council shall have determined, by resolution or otherwise, that the city shall do the work and furnish the material for such improvement and that no contracts shall be let for the making of such improvement.

Expense,
etc., what
to include.
Limit of
amount to
be levied.

Time for
levying.

SEC. 5. Whenever the council shall direct any special assessment to be made, they shall direct the same to be made by the persons named in section two of this title, and shall state therein the amount to be assessed, and shall describe or designate the lots and premises constituting the district to be assessed. Such assessment shall be made by frontages or benefits, as the council shall direct.

Directions
for making
special assess-
ments.

SEC. 6. Upon receiving such directions, the board of assessors named therein shall make out an assessment roll, entering and describing therein all the lots and premises, and parts of lots, to be assessed, and the valuation thereof, and the names of the persons, if known, chargeable with the assessments thereon, and shall levy thereon and against such persons the amount to be assessed in the manner directed by the council. When such assessment is completed, they shall report the same to the council. If the assessment is required to be according to frontage, they shall assess to each lot or parcel of land such relative portion of the whole amount to be levied as the length of front of such lot or premises abutting or fronting upon the improvement bears to the whole frontage of all the lots or premises to be assessed; unless on account of the shape or size of any lot or premises an assessment for a different number of feet would be more equitable. If the assessment is directed to be according to benefits they shall assess upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefit resulting to such lot or premises from the improvement, and shall report the same to the council.

Assessment
roll.

Completion
reported to
council. +
Assessment
according to
frontage.

According
to benefits.

SEC. 7. When any special assessment roll shall be reported by the board of assessors, the same shall be filed in the office of the recorder. Before adopting such assessment the council shall cause notice to be published for at least two

Roll filed with
recorder.

Notice of
review.

Objections, where filed.	weeks in the official newspaper of the city of the filing of said assessment roll, and appointing a time in said notice, when the council and board of assessors will meet to review the same. Any person objecting to such assessment may file his objections thereto in writing with the recorder.
Review, correction and disposition of roll.	SEC. 8. At the time so appointed, the council and board of assessors shall meet, and then or at some adjourned meeting review the assessment roll and consider any objections made thereto; the council shall correct the same, if necessary, and confirm it as reported or as corrected; or it may refer it back to the board of assessors for revision or annul it, and direct a new assessment, in which case the same proceedings shall be had, as in respect to the previous assessment. When a special assessment shall be confirmed, the recorder shall endorse a certificate thereof upon the roll, showing the date of confirmation.
Certificate.	SEC. 9. When any special assessment shall be confirmed by the council, it shall be final and conclusive; but no such assessment shall be confirmed, except by the concurrence of two-thirds of all the aldermen elect.
Assessment final, how confirmed.	SEC. 10. All special assessments shall, from the confirmation thereof, constitute a lien upon the respective lots or parcels of land assessed, and shall be a charge against the person to whom assessed until paid.
To be a lien.	SEC. 11. Upon the confirmation of any special assessment, the amount thereof may be divided into not more than six installments, one of which shall be collected each year, at such times as the council shall determine, with such annual interest as the council may determine, at a rate not exceeding five per cent.
Division into installments.	SEC. 12. All special assessments, except such installments thereof as the council shall make payable at a future time, as provided in the preceding section, shall be due and payable on confirmation.
What portion due on confirmation.	SEC. 13. Should any lots or premises be divided after a special assessment thereon shall have been confirmed, and divided into installments, and before the collection of all the installments, the council may require the board of assessors to apportion the uncollected amounts upon the several parts of lots and premises so divided. The report of such apportionment when confirmed shall be conclusive on all the parties and all collections thereafter made upon such lots or premises shall be according to such division.
Proceedings in case of division of lands before taxes collected.	SEC. 14. Should any special assessment prove insufficient to pay for the improvement for which it was levied, and the expense incident thereto, the amount of such deficiency shall be paid from the appropriate general fund of the city; and in case a greater amount shall have been collected than was necessary, the excess shall be refunded ratably to those by whom it was paid.
Additional assessment.	
Surplus.	

SEC. 15. Whenever any special assessment shall, in the opinion of the council, be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessment to be illegal, the council shall, whether the improvement has been made or not, or whether any part of the assessments have been paid or not have power to cause a new assessment to be made, for the same purpose for which the former assessment was made. All proceedings on such reassessment and for the collection thereof shall be conducted in the same manner as provided for the original assessment. Whenever any sum, or any part thereof, levied upon any premises, in the assessment so set aside has been paid, and not refunded, the payment so made shall be applied upon the reassessment, and the reassessment shall to that extent be deemed satisfied.

Proceedings
in case of
irregularity.

Payments,
how applied.

SEC. 16. No judgment or decree, nor any act of the council vacating a special assessment, shall destroy or impair the lien of the city upon the premises assessed for such amount of the assessment as may be equitably charged against the same, or as by a regular mode of proceeding might have been lawfully assessed thereon.

Lien not to be
destroyed.

SEC. 17. Whenever any special assessment shall be confirmed and be payable, the council may direct the recorder to certify and report to the city assessor a description of such lots and premises as are contained in said roll, with the amount of the assessment levied upon each, and the name of the owner, or occupant against whom the assessment was made, and require said city assessor to levy and spread the several sums so assessed as a tax upon the several lots or premises to which they were assessed respectively. Upon receiving said report, the city assessor shall levy and spread the sums therein mentioned upon the respective lots and premises to which they are assessed, and against the persons chargeable therewith as a tax in the general assessment roll next thereafter to be made, in a column for special assessments, and thereupon the amount so levied and spread in said general assessment roll shall be collected and enforced with the other taxes in the general assessment roll, and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected shall be credited to the proper funds.

Confirmation
reported to
assessor.

Duty of
assessor.

Collection.

How credited.

SEC. 18. Whenever any special assessment shall be confirmed and be payable, as hereinbefore provided, the council, instead of requiring the assessment to be reported to the city assessor as hereinbefore provided, may direct the assessment so made in the special assessment roll to be collected directly therefrom. And thereupon, the recorder shall make a certified copy of said special assessment roll, and the mayor shall attach thereto his warrant commanding the city treasurer to collect from each of the persons assessed in said roll, the

Council may
order direct
collection.

Unpaid assessments.	<p>amount of money assessed and set opposite his name therein, and in case any person named in said roll shall neglect or refuse to pay his assessment upon demand, then to levy and collect the same by distress and sale of the goods and chattels of such person, and to return said roll and warrant, together with his doings thereon, in sixty days from the date of such warrant. In case any assessment shall remain unpaid after the expiration of said sixty days no renewal of said warrant shall be necessary, but said warrant shall remain in full force and effect, and the treasurer shall have full power and authority to collect the same by virtue of said original warrant at any time, until such assessment shall be paid, or until said assessment shall be placed and levied upon the general assessment roll, as in this act provided. In case any assessment shall remain unpaid after the expiration of the said sixty days, the council may at any time thereafter direct the amount thereof to be levied and spread, together with the interest thereon, at eight per cent per annum, upon the next general assessment roll, and thereupon the city treasurer shall certify to the city assessor a correct description of the lots and premises, upon which any such assessment or part thereof remains unpaid, together with the amount of such unpaid assessment, with the interest due thereon, and the name of the owner or occupant against whom the assessment was made, and thereupon it shall be the duty of the city assessor to levy and spread such assessment upon the general assessment roll, as hereinbefore provided.</p>
Treasurer to collect.	<p>SEC. 19. Upon receiving said special assessment roll and warrant thereto, the city treasurer shall proceed to collect the amounts assessed therein, and on all sums paid at his office within thirty days from the time the rolls came into his hands for collection, no collection fee shall be added, and upon all amounts paid after the expiration of said thirty days, he shall add and collect four per cent as collection fees. To all amounts paid after the expiration of sixty days from the time the roll came into his hands for collection, he shall add and collect interest at the rate of eight per cent per annum. Such collection fees and interest shall be an additional charge upon the lots or premises assessed, and against the persons chargeable therewith, and said interest shall be paid into the city treasury and credited to the interest and sinking fund. If any person shall neglect or refuse to pay his assessment upon demand, the city treasurer shall levy and collect the same by distress and sale of the goods and chattels of such person, found within the city or elsewhere within the county, to an amount sufficient to pay such assessment, fees, interest and charges for subsequent sale. Such sale shall be at public auction, on giving public notice of the time and place of such sale for at least six days previous thereto, by posting written or printed notices in three public places in the city or township where such property may be found. The proceeds of such</p>
Per cent, when to add.	
Interest, when added.	
Refusal or neglect to pay.	

sale or so much thereof as shall be necessary for that purpose, shall be applied on the payment of the assessment, and a percentage of five per cent for costs and expenses of said seizure and sale, and the surplus, if any, shall be paid to the party entitled thereto.

Costs, expenses, etc., of sale.

SEC. 20. At any time after any special assessment has become due and payable, the same may be collected by suit, in the name of the city against the person assessed, in an action of assumpsit, in any court having jurisdiction of the amount. In every such action a declaration upon the common counts for money paid shall be sufficient. The special assessment roll, and a certified copy of the order or resolution confirming the same, shall be prima facie evidence of the regularity of all the proceedings in making the assessment, and of the right of the city to recover judgment therefor.

May collect by action of assumpsit.

Evidence.

SEC. 21. If in such action it shall appear that by reason of any irregularities or informalities the assessment has not been properly made against the defendant, or the lot or premises sought to be charged, the court, nevertheless, on satisfactory proof that the expense has been incurred by the city, which is a proper charge against the defendant or the lot or premises in question, shall render judgment for the amount properly chargeable against such defendant or upon such lot or premises.

In case of irregularities, etc.

SEC. 22. The bringing of any such suit by the city shall not be deemed a waiver of the lien created by this act, nor of the right to enforce the same in the manner provided therefor.

Waiver of lien.

TITLE XII.

APPROPRIATION OF PRIVATE PROPERTY.

SECTION 1. Private property may be appropriated for public use for the purpose of opening, widening, altering and extending streets, alleys, avenues, for the construction of bridges, for buildings and structures for the fire department, for public grounds, parks, market places and spaces; for public wharves, docks, slips, basins and landings, improvement of water courses, sewers, drains, ditches and outlets and discharges for the same; for water works and necessary public buildings, hospitals, pest houses, quarantine grounds, public cemeteries, for gas and electric light plants, and for other lawful and necessary public uses. But such property shall not be taken therefor, without the consent of the owner, unless the necessity for taking and using the same, and the just compensation to be made therefor and to be actually paid, or to be secured in the manner in this act provided, and shall be determined by a jury of twelve freeholders residing in the

Purposes for which private property may be appropriated.

Acquiring without consent of owner.

Two-thirds vote.	city. Nor shall any improvement requiring the taking and using of private property be ordered except with the concurrence of two-thirds of all the aldermen elect. The council may, however, acquire such property by negotiations and purchase.
Resolution, what to contain, etc.	SEC. 2. When the council shall deem it necessary to make any public improvement, requiring the taking and using of private property, not acquired by purchase, it shall so declare by resolution, describing the proposed improvement, and each parcel of land designated to be taken, giving the names of the owners and persons interested therein, so far as known, and shall in the same resolution designate a justice of the peace of said city, to whom application will be made, at a time and place therein to be stated, for the impaneling of a jury to ascertain the necessity of using said land and the just compensation to be made therefor.
Notice of application for jury.	SEC. 3. Upon the passage of the resolution mentioned in the preceding section, a certified copy thereof shall be filed with said justice, and notice of the time and place of making said application shall be given, by publishing the same, together with a copy of said resolution, for three weeks, in one of the newspapers of said city (if personal service on all parties interested cannot be had), the first publication of which shall be at least thirty days before the time fixed for the application. A copy of said notice and resolution shall be served personally by the chief of police, or by his deputy, at least two weeks before the time for hearing said application, upon each owner, and persons interested in said lands, as far as known, and upon the guardian of any minor or incompetent person interested therein, if to be found within the city, or elsewhere in the county of Muskegon, and if any such guardian, owner or person interested shall not be found within the city, or said county, a copy of said notice and resolution shall be posted upon the premises to be taken, the same length of time before making said application, and a return by the chief of police or his deputy of the service of said notice and resolution (which return shall be conclusive as to the matters therein stated) and an affidavit of publication of said notice and resolution shall be filed with the said justice before or at the time of making said application. After the publication and service of said notice and resolution as aforesaid, the owners and all persons interested in any of the lands to be taken for said improvement shall take notice of and be bound by all the subsequent proceedings without further notice, except as herein otherwise provided.
How and by whom served.	
Return, etc., where filed.	
Effect of notice.	
Impaneling of jury.	SEC. 4. At the time appointed therefor in said notice and resolution, or at such other time as proceedings shall be adjourned to by said justice, he shall, upon the application of the city attorney, cause the chief of police, or his deputy, to make a list of the names of twenty-four disinterested freeholders, residing in said city, competent to serve as jurors. From said

list the city attorney shall strike off six names, and the owner or owners and persons interested in said lands shall strike off six names, or upon their failure to do so, the justice shall strike off such names for them; and thereupon the said justice shall issue a venire, directed to said chief of police, to summon the twelve persons, whose names remain upon said list, to appear before said justice, at a time and place in said venire to be named, not less than two nor more than six days from the date thereof, to make a jury, to inquire of and determine the matters referred to in said resolution and shall then adjourn the further proceedings in the matter; to the return day of said venire. Said venire shall be served by the chief of police or his deputy, as in other cases of venire. Said jurors shall be liable for non-attendance, the same as jurors summoned to appear in justice courts, and may be excused for the same causes.

Venire.

How served.

SEC. 5. At the time of making the application to the justice for the empaneling of the jury, and at all subsequent proceedings, any infant or incompetent person may be represented by his or her guardian, appointed, under the laws of this State; but if there should be no guardian or if no such guardian shall appear, to represent such infant or incompetent person, the justice, before proceeding with the matter, shall appoint some disinterested person as guardian ad litem to protect the interests of the person for whom he is so appointed.

Incompetents, etc., how may be represented.

SEC. 6. If upon the return day of said venire a sufficient number of competent jurors shall not appear in answer to the summons or if any shall be excused or set aside, the justice shall require the chief of police or his deputy to summon immediately a sufficient number of other competent freeholders of said city, until a panel of twelve qualified jurors shall be obtained. Each party and the persons having an interest in any of the lands shall have the right to challenge any juror for cause, and the justice shall determine as to the competency of the jurors. Such jury shall be sworn to ascertain and determine the necessity of taking the parcel or several parcels of land sought to be taken for the purpose set forth in said resolution, and if taken, to determine and award to each person entitled thereto a just compensation to be allowed for his or her interest in the land so taken.

Completing panel of jury.

Right of challenge.

Jury, what to determine.

SEC. 7. When the jury shall have been sworn the city attorney shall deliver to them a copy of the said notice and resolution of the council and a map or plat of the proposed improvement, showing the location and boundaries of each parcel of land sought to be taken and its position in relation to adjoining lands; and any person claiming an interest in any of the land sought to be taken although not named in said resolution as owner or party interested, may then file with the justice a statement of his interest in a description of the prop-

Copy of notice to be given jury.

Copy of claims delivered to.

	erty in respect to which he claims compensation, and a copy of the same shall be delivered to the jury.
Jury to examine premises.	SEC. 8. The jury shall then, or at such other time as the justice shall direct, proceed to examine the premises sought to be acquired and testimony may be produced before them, under the direction of the court, as in cases of ordinary jury trials, before justices of the peace, so far as applicable, and upon the close of the testimony the justice may instruct the jury as to the provisions of this act relating to their duties.
Each parcel to be considered separately.	SEC. 9. The jury shall consider upon each parcel of land described in the resolution of the council, separately. If they shall find it necessary to take the same for the purpose of said improvement, they shall so determine, and shall award the compensation to be made therefor. If only a part of any lot or parcel shall be taken, they shall estimate the whole damages occasioned thereby, and also any special and particular benefit resulting to the remainder of the premises from the proposed improvement, and shall award as damages and compensation such sum only as shall remain after deducting said estimated benefit. If several persons shall have separate claims upon the same lot or parcel of land, as owners, mortgagees, lessees, or otherwise, the jury shall apportion to each such share of the damages awarded as shall be just. Damages for taking the lands of any deceased person may be awarded to his estate.
Damages, how estimated, etc.	SEC. 10. The jury shall make a report of their determination and award in writing; they shall describe therein each piece or parcel of land which they shall find it necessary to take for the purpose of said improvement, and state the whole amount of damages occasioned by taking the same; deducting therefrom, if any, for special benefits arising from the improvement to the remainder of the lots or premises from which the part appropriated is taken, and the net amount awarded as damages and compensation therefor, the name of the owner, and of any persons having separate claims thereon, by mortgage, lease or otherwise, to whom said damages are awarded, and the amount awarded to each, and the date and description of any mortgage, lease or lien, by virtue of which such claim is made. When conflicting claims are made to any damages awarded, the jury, without deciding between the claimants, shall report the fact, the names of such claimants, and the amount awarded for the land. They shall report the lands, if any, as to which they fail to agree. Said report signed, signed by each juror, shall be returned to the justice within ten days after the impaneling of the jury.
Report of jury, what to contain.	SEC. 11. The city attorney shall give such assistance to the jury in making up their report as they may require. The justice shall enter said report and all the proceedings had in the cause before him in his docket.
How signed and to whom returned.	SEC. 12. A disagreement of the jury as to one or more distinct parcels of land shall not affect the awards and re-
Duty of city attorney and justice.	
Disagreement, effect of.	

ports upon which they have agreed, and upon any such disagreement, the justice may, upon the motion of the city attorney, impanel a new jury in the same manner as provided for drawing the original jury, and like proceedings shall thereupon be had as to the lands concerning which there was a failure to agree, and a new jury may in like manner be had as often as necessary. If any juror after being impaneled as aforesaid, and before the hearing, shall be unable to discharge his duties, the justice may appoint another in his place, who shall have the like qualifications and be sworn and exercise the same duties as the other jurors of the panel.

New jury.

SEC. 13. Upon filing the report and award made by the jury with said justice, a copy thereof certified by such justice, shall be filed with the city recorder, and at any time thereafter within forty days after the impaneling of the jury making the report, the justice, upon the application of the city attorney, shall enter judgment of confirmation of the determination and award therein made. Unless such application and confirmation shall be made within said forty days, all proceedings upon that report and that award shall be at an end, and a new jury and new proceedings may be had, as in the case of a disagreement of the jury. All parties interested in such report shall take notice of the confirmation thereof. Any such judgment of confirmation shall be final and conclusive to all parties not appealing therefrom within the time prescribed in the next section.

Copy of report filed with recorder.

Proceedings, when ended.

When judgment final.

SEC. 14. Any party aggrieved by the judgment or confirmation mentioned in the preceding section, may, within ten days after the entry thereof, appeal therefrom to the circuit court for the county of Muskegon, by filing with the justice a claim of appeal in writing, in which he shall set forth a description of the land in which he claims an interest, his interest therein and all the errors relating to the proceedings and judgment of which he complains, and his objection, if any, to the amount of damages awarded, and at the same time filing with the justice a bond to the city in a penal sum of not less than three hundred dollars, with sureties to be approved by the justice, conditioned that he will prosecute his appeal to effect, and pay any costs that may be awarded against him in the circuit court, and by paying the justice the sum of three dollars for making his return to the appeal.

Appeal, when and how made.

To file bond and pay costs.

SEC. 15. At the time of filing said claim of appeal the appellant shall present to the justice a statement in the nature of a bill of exceptions, containing so much of the evidence and other proceedings in the matter as shall be sufficient to present the question to be raised upon the errors and objections alleged in the claim of appeal, and shall at the same time serve a copy thereof and of the claim of appeal upon the city attorney, who may propose amendments to said bill. Within ten days after said bill is presented, said justice shall, accord-

Bill of exceptions, what to contain.

To serve copy upon city attorney. Duty of justice in case of appeal.

	ing to the facts of the case, correct and sign the same, and within ten days thereafter the said justice shall make a certificate and return to said bill, setting forth a transcript from his docket of all the proceedings and the judgment of confirmation entered therein, and shall attach thereto the report of the jury, and all notices and papers filed with him, together with the bond and claim of appeal, and said bill of exceptions, and file the same with the clerk of said circuit court.
Circuit court to have jurisdiction.	SEC. 16. Upon filing the return of the justice as mentioned in the preceding section, the circuit court shall have jurisdiction of the cause, and upon the hearing thereof, shall first consider the errors alleged in said claim of appeal, and, if the proceedings are found to be invalid as to the party appealing on account thereof, the court shall remand the case, so far as affects the appellant, to said justice, and a new jury may be called and the like proceedings had as upon the original application for a jury. If no error affecting the merits shall be found in the proceedings, the parties may proceed to trial by jury at the same term upon the question as to the amount of damages to be awarded, but the finding of the jury before the justice as to the necessity of taking the land shall be held conclusive. The appeal of one or more persons interested in any judgment of confirmation shall not in any manner affect said judgment as to the other persons interested therein, who do not appeal.
Trial by jury, verdict final.	SEC. 17. Upon any dismissal of the appeal or rendition of judgment after trial in the circuit court, said court shall confirm the proceedings and right of the city to take and appropriate the lands of the appellant for the purposes mentioned in the resolution of the council and unless the appellant shall recover judgment for at least ten dollars more than the amount awarded to him before the justice, he shall pay costs to the city, otherwise the court shall award such costs to him as shall be just.
Appeal of one person not to affect others.	SEC. 18. Certified copies of any judgment of confirmation of the circuit court, or of the justice of the peace after the same has become final, and of the report of the jury thereby confirmed shall be filed with the recorder of said city and recorded in a book of records kept for that purpose, and when so recorded shall be presumptive evidence of the matters therein contained, and of the regularity of all the proceedings to appropriate the property sought to be acquired and confirm the same.
Judgment, effect of.	SEC. 19. Within six months after the judgment of confirmation by the circuit judge, or after the judgment of confirmation by the justice shall have become final, the council may pay or tender, out of any appropriate funds or funds, to the respective persons, the several amounts of damage and compensation awarded to them, as finally confirmed. And in
Costs.	
What evidence of regularity.	
Payment of damages, refusal to accept, etc.	

case the person or persons to whom the same has been awarded shall refuse the same, be unknown, or a non-resident of the city, or be not found therein, or shall be incapacitated from receiving his or her amounts, or the right to any sum awarded be disputed or doubtful, the council may deposit the amount awarded with a statement of the facts relating thereto in the treasury of the city, to the credit of the person or persons entitled thereto, and the same shall be paid on demand of the person entitled to receive it. No delay in making any award of damages, or in taking possession of any property shall be occasioned by any doubt as to the ownership of the property or as to the interest of the respective parties making claim thereto.

Doubt as to
ownership
of property.

SEC. 20. Upon the payment, tender or deposit mentioned in the preceding section, the fee of the land sought to be taken, and the appurtenances and the right to occupy the property sought to be used, shall vest in the city, and the council may convert and use the same. A certificate of the city treasurer of such payment, tender, or deposit or a record of such certificate in the book of records of the recorder, or a certified copy thereof, shall be presumptive evidence of the matters therein stated, and of the ownership of the city in fee in the lands and property taken.

When fee in
lands to vest
in city.

SEC. 21. In all cases, when any real estate, subject to lease or agreement shall be taken for public use, all the covenants and stipulations therein shall end, upon the judgment of confirmation in the circuit court, or upon the confirmation by the justice, when the same shall become final. If a part only of such real estate shall be taken, the said covenants and agreements shall be discharged only as to such part.

In case of
lease, etc.

TITLE XIII.

SEWERS, DRAINS AND WATER COURSES.

SECTION 1. The council may establish, construct and maintain sewers and drains, and improve water courses, whenever and wherever necessary, and of such dimensions and material, and under such regulations as it may deem proper, for the drainage and sewerage of the city.

Council may
construct, etc.

SEC. 2. Whenever it shall become necessary, in the opinion of the council, to provide sewerage, drainage, or to improve water courses for the city, or any part thereof, it shall be its duty to devise or cause to be devised a plan for such drainage or sewerage.

Plan of
drainage.

SEC. 3. Such plan shall, in the discretion of the council, be formed with a view to the division of the city into main sewer districts, each to include one or more main or principal sewers, with the necessary branches and connections; the districts to be so numbered and so arranged, as to be as nearly

Relative to
districts.

independent of each other as may be. Plats and diagrams of such plans, when adopted, shall be filed in the office of the recorder.

Districts
may be
subdivided.

SEC. 4. Main sewer districts may be subdivided into special sewer districts in such manner that each special district shall include one or more lateral or branch sewers, connecting with the main sewer, and shall include in such districts such lands as, in the opinion of the council, will be benefited by the construction thereof. When deemed necessary, special sewer districts, to include one or more local or branch sewers, and such lands as, in the opinion of the council, will be benefited by the construction thereof, may be formed of territory not included in any main sewer district.

Main or trunk
sewers.

SEC. 5. The council may, however, provide for main or trunk sewers, without reference to sewer districts, diagrams or plats of which shall be filed in the office of the recorder.

Costs, how
paid.

SEC. 6. The cost and expense of establishing and maintaining any main or trunk sewer, constructed without reference to sewer districts, shall be paid out of the general sewer fund. Such part as the council shall determine, being not less than twenty-five per cent of the cost and expense of any main district sewer, or of the cost of any lateral, branch or local sewer, constructed within a special sewer district, shall be paid from the general sewer fund, and the remainder of such cost and expense shall be defrayed by a special assessment upon all the taxable land and premises included within such sewer district, in proportion to the estimated benefit accruing to each parcel respectively, from the construction of the sewer. Assessments according to benefits, as aforesaid, shall be made without reference to any improvements or buildings upon the lands.

Plat of dis-
trict, what to
contain, etc.

SEC. 7. Before proceeding to the construction of any sewer, any portion of the cost of which is to be paid by special assessment, the council shall cause a diagram and plat of the whole sewer district to be made, showing all the streets, public grounds, lots and subdivisions thereof in the district, and the proposed route and location of the sewer, and the depth, grade and dimensions thereof, and shall cause an estimate of the cost thereof to be made. The council shall give notice by publication for at least two weeks in the official newspaper of the city of the proposed construction of such sewer and where such diagram and plat may be found for examination, and of the time when the council will meet, and consider suggestions and objections with respect to such sewer that may be made by parties interested.

Notice to
construct,
what to
contain.

Resolution
declaring
determination.

SEC. 8. When the council shall determine to construct any such district sewer, it shall so declare by resolution, designating the district, and describing by reference to the plat and diagram thereof mentioned in the preceding section, the route and location, grade and dimensions of the sewer, and shall determine in the same resolution what part of the estimated expense of the sewer shall be paid from the gen-

eral sewer fund (being not less than twenty-five per cent), and what part shall be defrayed by special assessment, according to benefits. All maps, plats and diagrams, when finally adopted, shall be filed in the office of the recorder.

SEC. 9. Special assessments for the construction of sew-
ers shall be made in the manner provided in this act for mak-
ing special assessments. Special assessments.

SEC. 10. When the owners of a majority of the lands, Petition for sewer.
liable to taxation in any sewer district, shall petition for the
construction of a sewer therein, the council shall construct
a district sewer therein, and if the lands included in the line
of such proposed sewer are not within any sewer district, a
district shall be formed for that purpose. In other cases
sewers shall be constructed in the discretion of the council.

SEC. 11. Whenever the council shall deem it necessary Council may order private drains.
for the public health it may require by resolution the owners
and occupants of lots and premises to construct private drains
therefrom to connect with some public sewer or drain, and
thereby to drain such lots and premises, and to keep such
private drains in repair, and free from obstruction and
nuisance; and, if such private drains are not constructed and
maintained according to such requirement, the council may
cause the work to be done at the expense of such owner or
occupant, and the amount of such expense shall be a lien
upon the premises drained, and may be collected by special as-
sessment to be levied thereon and collected in the manner and
in accordance with the provisions of sections twenty, twenty-
one and twenty-two of title fourteen of this act for the as-
sessment of the expense of constructing and repairing
sidewalks.

SEC. 12. The owners or occupants of lots and premises Private drains may connect with sewers.
shall have the right to connect the same by means of private
drains with public sewers and drains at their own ex-
pense, under such rules and regulations as the council shall
prescribe.

SEC. 13. Such part of the expense of providing ditches and Expenses, how paid.
improving water courses as the council shall determine may
be defrayed by special assessment upon the lands and
premises benefited thereby, in proportion to such benefits.

SEC. 14. The expenses of repairing and reconstructing pub- Idem.
lic sewers, ditches and water courses shall be paid from the
general sewer fund.

TITLE XIV.

STREETS, SIDEWALKS AND PUBLIC GROUNDS.

SECTION 1. The council shall have supervision and control Council to have control.
of all public highways, bridges, streets, avenues, alleys, side-
walks and public grounds within the city, and shall cause
the same to be kept in reasonable repair.

Exceptions.	SEC. 2. The city shall not be responsible for the care, improvement or repair of streets or alleys, laid out or dedicated to public use by the proprietors of any land, until such street or alley has been actually accepted by the city or open to and used by the public for the term of three years.
Council may open, widen, etc.	SEC. 3. The council shall have authority to lay out, open, widen, extend, straighten, alter, close, vacate or abolish any highway, street or alley in the city, whenever it shall deem the same a public improvement, and if in doing so it shall be necessary to take or use private property, the same may be taken in the manner provided in this act for taking private property for public use. The expense of such improvement shall be paid from the proper general fund of the city.
Expense of, how paid.	SEC. 4. When the council shall deem it advisable to vacate, discontinue or abolish any street, alley or public ground, or any part thereof, it shall by resolution so declare, and in the same resolution shall appoint a time, not less than four weeks thereafter, when it will meet and hear objections thereto. Notice of such meeting shall be given by publishing a copy of said resolution not less than four weeks before the time appointed for such meeting, in the official newspaper of said city. If, at any time thereafter, the council shall by two-thirds vote of all the aldermen elect by resolution declare such highway, street, alley or public ground vacated, discontinued or abolished, the same shall be deemed vacated, discontinued or abolished.
Declaration of vacating streets, etc.	SEC. 5. The council may cause all public streets, alleys and public grounds to be surveyed, and it may determine and establish the boundaries thereof, and cause the surveys and descriptions thereof to be recorded in the office of the recorder in a book of street records, and it shall cause surveys and descriptions of all streets, alleys and public grounds opened, laid out, altered, extended, dedicated and accepted and confirmed by the council to be recorded in like manner, and such record shall be prima facie evidence of the existence of such streets, alleys or public grounds mentioned therein. Every resolution discontinuing or vacating any street, alley or public ground shall also be recorded in said book of street records, and the record thereof shall be prima facie evidence of the matters therein set forth.
Surveys and boundaries of streets.	SEC. 6. The council shall have authority to determine and establish the grades of all streets, avenues, alleys and public grounds within the city, and to require improvements and buildings adjacent or abutting upon such streets, alleys or grounds to be made and constructed in conformity therewith, and may change or alter the grade of any street, alley or public ground, or of any part thereof, whenever in its opinion the interest of the public will be promoted thereby. Whenever a grade shall be established or altered, a record and diagram thereof shall be made in the book of street records in the office of the recorder.
Record of, where recorded.	
Grades.	

SEC. 7. Whenever any street, alley or public highway shall have been graded or pavement shall have been constructed in conformity to grades established by authority of the city, and the expenses thereof shall have been assessed upon lots or lands bounded by or abutting upon such street, alley or public highway, the owner or owners of such lots or lands shall not be subject to any special assessment occasioned by any subsequent change of grade in such pavement, street, alley or public highway, unless such change be asked for by the owners of a majority of such lots or lands, but the expense of all improvements occasioned by such change of grade shall be chargeable to and paid by said city.

Change of grade after pavement is constructed.

SEC. 8. If damage shall result to any owner by change of the established grade of any street, alley, sidewalk, wharf or landing, the council may in its discretion levy and collect the amount thereof by special assessment upon the lots and premises benefited thereby, equal to the extent of such benefits, and pay the amount so collected to the party entitled thereto, but the city shall incur no liability by reason of anything in this section contained.

Damage by changing grade, how paid.

SEC. 9. The council shall have power, and it shall be its duty to prescribe by resolution the width, direction and location of all streets, alleys and public grounds of any proposed plat, or subdivision of land, within the city, and to that end any proprietor of land, intending to lay out, divide and plat the same into lots, blocks, public grounds, streets and alleys, or otherwise, shall file with the recorder a correct survey, plan and map of such land, showing all the subdivisions thereof, and all streets, alleys and public grounds intended to be dedicated to the public and also the relative position and location of such lots, blocks, streets, alleys and public grounds, with respect to adjacent premises and streets of said city. If such proposed plan and map meet the approval of the council, in regard to the streets, alleys and public grounds thereof, such approval shall be declared by resolution, and the fact of such approval, and the date thereof, shall be endorsed thereon by the recorder, under the corporate seal of the city. If such plan and map be not so approved, the council shall within sixty days after such filing with the recorder, prescribe by resolution the width, direction and location of such streets, alleys and public grounds, or any of them, and the proprietor of such proposed plat shall cause such plan and map to conform to such resolution, whereupon such map shall be approved by the council and endorsed as aforesaid. If the council fail to approve any plan or map so filed, or to prescribe any changes therein in manner aforesaid for the space of sixty days after the same has been filed with the recorder, such failure shall be deemed an approval thereof in all respects, and the recorder shall endorse such fact thereon under the corporate seal of the city, which shall have all the force and effect of a regular approval by

Duty of council relative to plats, etc.

Survey, etc., where filed.

Approval to be endorsed on.

Failure to approve within 60 days.

When recorder to endorse.

Copy filed with recorder. the council. No such plat shall be valid or be recorded in the office of the register of deeds for the county of Muskegon until it shall have been endorsed by the recorder in manner aforesaid. Such proprietor shall, within twenty days after such plan and map shall have been approved as aforesaid, file a certified copy thereof with the recorder for the use and benefit of the city. Such approval shall not in any manner be deemed an acceptance by the city of such streets, alleys and public grounds.

Liability of city for injuries. SEC. 10. The city shall not be liable to any person for injuries received by him on his property in consequence of any sidewalk or crosswalk in said city not being kept clear of snow and ice, nor shall the city be liable to any person for injuries received by him or his property in consequence of any defect in or upon any sidewalk, crosswalk or street, unless it shall be shown that the defect occasioning the injury had existed thirty days prior to said injury, or unless the city had had actual notice of the existence of said defect five days before the injury occasioned thereby was received.

Council to repair, etc., streets. SEC. 11. The council shall have power to grade, pave, plank, gravel, curb, and otherwise improve and repair the streets, avenues, lanes and alleys of said city, and for that purpose and for defraying the expenses thereof may divide the city into street districts. The term paving shall be deemed to include the construction of crosswalks, gutters and curbing.

Paving defined.

Expenses, how paid.

SEC. 12. Such part of the expenses of improving any street, lane, or alley by grading, paving, planking, graveling, curbing or otherwise, and of repairing the same as the council shall determine, may be paid from the general highway fund or from the street district fund of the proper street district, or in part from each, or the whole or such part of the expense of such improvement, as the council shall determine, may be defrayed by special assessments upon lots and premises included in a special assessment district to be constituted of the lands fronting or adjoining that part of the street or alley so improved or proposed so to be, or constituted of lands fronting upon such improvement, and such other lands as in the opinion of the council may be benefited by the improvement.

Certain improvements paid from highway fund.

SEC. 13. The expense of making any such public improvement in front of any property belonging to the city shall be paid out of the general highway fund. The expense of the improvement of all street and alley intersections shall be borne by the city.

Council to have control of sidewalks.

SEC. 14. The council shall have control, except as in this act otherwise provided, of all the sidewalks in the public streets and alleys of said city, and may prescribe the width and grade thereof, and change the same when necessary. It shall have power to construct and maintain sidewalks and crosswalks in the public streets and alleys, and charge the ex-

pense thereof upon the lots and premises adjacent to and abutting upon such walks.

SEC. 15. The council shall have authority to require the owners and occupants of lots and premises to construct sidewalks in the public streets and alleys adjacent to and abutting upon such lots and premises, and to keep them in repair, and to construct and lay the same upon such lines and grades, and of such width and materials, and in such manner and within such time, as the council shall by ordinance or resolution prescribe. The council shall have the power to prescribe the kind and material of which all sidewalks shall be constructed, to provide by ordinance limits or districts within which sidewalks shall be built of stone, concrete, cement or of other durable substances, aside from wood or plank.

May require owners to construct.

To prescribe material.

SEC. 16. The council shall have power to require the owners and occupants of any lot or premises to remove snow and ice from the sidewalks, in front of or adjacent to such lots and premises, and to keep the same free from obstructions, encroachments, incumbrances, filth and other nuisances.

Owners to remove snow, etc.

SEC. 17. If the owner or occupant of any lot or premises shall fail to construct, repair or maintain any sidewalk as mentioned and prescribed in the last two sections, or shall fail to keep the same free from snow, ice and filth, or fail to remove and keep the same free from obstructions, encroachments, incumbrances or other nuisances, or shall fail to perform any other duty required by the council in respect to such sidewalk, within such time and in such manner as the council shall require, said council may cause the same to be done at the expense of such owner or occupant, and the amount of all such expenses incurred by the council shall constitute a lien upon the lot or premises, from the time the expenses are so incurred, and may be assessed and collected against said lot or premises in the manner hereinafter provided.

Proceedings in case of neglect.

Expense a lien on property.

SEC. 18. When any such sidewalk shall have been constructed or repaired by the city, under the provisions of the preceding section, suit may be brought for the cost and expense thereof in the name of the city against the owner or occupant of such lot or premises, in an action of assumpsit, in any court having jurisdiction of the amount. In every such action, a declaration upon the common counts for money paid shall be sufficient: Provided, That the bringing of such action shall not be deemed a waiver of the lien herein mentioned and of the right to enforce the same, as herein provided.

When suit may be brought against owner.

Proviso.

SEC. 19. If the owner, occupant or person in charge of any lot or premises shall neglect to repair any sidewalk in front of or adjacent to such premises or to remove any snow or ice therefrom, or to keep the same free from obstruction and incumbrances in accordance with the requirements of the ordinances and regulations of the council, he shall be liable to the city for the amount of all damages, which shall be re-

When owner liable for damages.

covered against the city for any accident or injury occurring by reason of such neglect.

Council may
construct,
and assess
expense
against
property.

SEC. 20. Whenever the council shall deem it expedient to construct any sidewalk within the city, it may, by ordinance or resolution, require the owner of any lot or premises adjoining thereto, or fronting or abutting thereon, to construct such sidewalk in front of or adjoining such lot or premises; the council, in like manner, may, by ordinance or resolution, under such penalty as it may prescribe, require the owner to repair or reconstruct any sidewalk in front of or abutting on or adjoining his premises, in such manner as the council may direct. If such owner shall neglect or refuse to make, repair or reconstruct any sidewalk in front of or adjoining his premises within such reasonable time as the council shall prescribe, it shall be lawful for said council to cause the same to be done at the expense of the city. In such case an accurate account of the expense thereof shall be certified to by the street commissioner, who is hereby authorized by virtue of his office, to make, repair or reconstruct such sidewalk, or cause the same to be done, and to file such account in the office of the city recorder, and a duplicate thereof with the city assessor, within five days after such work shall have been done and completed. Such account, so certified to by said street commissioner, shall contain an accurate description of each parcel of real estate in front of which or abutting on which or adjoining which said sidewalk was so made, repaired or reconstructed, also the expense of such construction, repairing, or reconstruction, and also the name of the owner of the real estate, if known. If the name of such owner shall not be known, such facts shall be stated in such account.

When unpaid
accounts and
added 10 per
cent placed
on roll.

SEC. 21. It shall be the duty of the city assessor, on the first day of March, June, September and December in each year, or as soon thereafter as may be, to place said accounts then remaining unpaid in an assessment roll, together with ten per cent of each account, to be added thereto. Said assessment roll shall be, in form, substantially the same as special assessment rolls provided for in this act, except that it shall not be necessary to place any valuation upon the real estate therein described. When completed, said assessment roll shall be filed in the office of the city recorder, and by him reported to the council.

Relative to
assessments.

SEC. 22. All the provisions of this act relative to special assessments, as to notice of time of hearing objections to such assessments, the hearing of such objections, the reviewing, adopting and confirming of such assessment roll by the council, and the collection of such assessments, and the spreading of the same upon the general assessment roll of said city, shall apply to the assessment rolls provided for in this title.

TITLE XV.

ISSUE OF BONDS.

SECTION 1. Whenever the council shall deem it necessary to issue the bonds of the city for any purpose, except as provided in title nine of this act, it shall so declare by resolution, specifying the amount of and purpose for which it is proposed to issue said bonds, when said bonds are to mature, and the rate of interest thereon and the time when and the place where an election will be held to authorize the issue of said bonds, which time shall not be less than twenty days from the adoption of said resolution.

Resolution of council necessary to issue, what to contain.

SEC. 2. The council shall cause said resolution to be published in the official newspaper of said city each day for at least fourteen days, and copies thereof shall be posted in at least three public places in each voting precinct.

Publication of.

SEC. 3. The necessary inspectors and clerks of election shall be appointed in the manner provided for in this act. The votes cast at such election shall be by ballot, and the election shall be conducted and the votes canvassed and returns thereof made in the same manner, as near as may be, as other elections under this act. The ballots used at such elections shall bear upon their face the following: "For the issue of bonds—Yes," "For the issue of bonds—No."

Bonding, submitted to vote.

Form of ballot.

SEC. 4. Whenever the council shall be authorized by a vote of the electors of said city, as aforesaid, it may issue the bonds of said city for the amount so authorized, and provide for the payment of principal and interest thereon, and for that purpose shall assess, levy and collect on the assessed value of all the real and personal estate in said city made taxable by the laws of this State, taxes not to exceed in amount a sufficient sum to pay the interest accrued or to accrue, and the principal becoming due on said bonds for the year for which said taxes are levied.

When council may issue.

Provision for payment.

SEC. 5. All bonds issued under the provisions of this title shall be numbered consecutively, and in such manner as to distinguish them from bonds which may be issued under the provisions of title nine of this act.

Bonds to be numbered.

SEC. 6. Whenever the council shall deem it expedient, it may provide additional places for holding elections under the provisions of this title, and designate the districts thereof.

Additional voting districts.

SEC. 7. The issue of bonds under the provisions of this title shall not at the time of issue of any part thereof, exceed in the aggregate ten per cent of the value of the assessable property in said city, as shown by the tax roll for the preceding year.

Limit of issue.

TITLE XVI.

PUBLIC IMPROVEMENTS AND WORKS.

Council
to have
control of.

SECTION 1. The council shall have supervision and control of the construction and care of all public works and improvements within said city.

Council
to make
estimates
of cost, etc.,
of.

SEC. 2. Whenever the council shall have decided upon the making of any repairs or public improvements, it shall so declare by resolution, and shall recommend the kind of materials to be used, and shall cause estimates to be made of the quantity of such materials, and estimates in detail of the probable cost and expense of such improvements or repairs and of the materials to be used therein, and make a record of such estimates, and shall cause to be prepared so far as necessary plans and specifications of said improvement, which said estimates, plans and specifications shall be filed in the office of the city recorder; and where the estimated cost of such improvement exceeds the sum of five hundred dollars, the council shall, except as in this act otherwise provided, advertise for proposals for the furnishing of materials and the performance of such work, and shall require all bidders to furnish security for the performance of proposals tendered, if the bid be accepted, and also security for the performance of any contract awarded. All bids submitted to said council shall be publicly opened, and all contracts for the furnishing of such material or the performance of such work shall be let and made to the lowest responsible bidder who shall furnish security as aforesaid to the satisfaction of said council.

To advertise
for proposals.

Bids to be
opened
publicly.

Lowest bidder.

Contracts.

SEC. 3. All contracts made by the council shall be in the name of the city of Muskegon, and after approval thereof as to form and phraseology, endorsed thereon by the city attorney, shall be executed by the mayor and recorder, and when made said council shall in behalf of the city have direction of the performance thereof. The council shall reserve the right in all contracts to determine all questions as to the proper performance of the same, and as to the completion of the work specified therein, and in case of improper delivery or imperfect performance thereof to suspend work, at any time, and to order the reconstruction of the same, if improperly done, to re-let the work covered by said contract, or any unfinished portion thereof, or by its employees to take possession, and complete the same at the expense of the contractor. It shall also have the right, and it shall be its duty by proper provisions in all contracts to retain an amount from the contract price sufficient to pay and discharge all debts, incurred by the contractor for labor performed or materials furnished, and upon the failure of the contractor to pay the same to make payments thereof to the parties entitled thereto, and charge the amount so expended to said contractor.

Rights
reserved.

SEC. 4. The council shall from time to time cause to be made estimates of the amounts earned and payable upon any contract or work done and materials furnished, and upon the adoption of such estimates and without unreasonable delay order payment thereof from the proper funds of said city.

Estimates of
amounts
earned, pay-
ment of.

SEC. 5. The recorder shall keep in his office in some convenient and suitable place easy of access, a book called "a complaint book," in which any person may enter complaints concerning the lack of repair, or unsafe condition of any street, sidewalk, crosswalk, bridge or culvert within the city, which book shall be in such form and with such headings as will show as nearly as may be the location by streets or by lots and blocks of any such defect, and the nature thereof. It shall be the duty of the recorder to enter in said "complaint book," the complaint of any person so made.

Complaint
book.

SEC. 6. It shall be the duty of the council to provide suitable regulations concerning the erection of buildings and the issuing of permits therefor, and to prevent the erection of any building within the limits of the city of Muskegon, or any addition to any existing building, without such permit having been first obtained. Before the issuing of any such permit the applicant therefor shall be required to file a bond or other security conditioned to indemnify the city against liability for damages which may ensue from the construction of said buildings or from the deposit of materials therefor in any of the public streets, alleys, or other public places. All permits thus issued shall be numbered consecutively and a record kept thereof in the office of and by the recorder of said city.

Council to
issue building
permits.

Applicant to
file bond.

TITLE XVII.

FIRE DEPARTMENT.

SECTION 1. The council shall have the care and custody of all engine houses, fire engines and apparatus, horses and hose implements, tools, bells, towers, fire alarm telegraph, and all property of every nature in use by the fire department of the city, and shall have power to organize and maintain the same, and prescribe all rules and regulations for the government of the same, and prescribe fines and penalties for the breach of the same.

Council to
have control
of.

SEC. 2. The council shall annually on the first Monday in May or as soon thereafter as may be, appoint as many assistant engineers as may be deemed necessary, and fire wardens not to exceed one for each ward of the city, the proper number of firemen and hook and ladder men as said council may from time to time determine, all to hold their appointment during the pleasure of the council not exceeding one

When to
appoint
officers.

Terms of
office.

Rules.	year unless re-appointed. The council shall when necessary prescribe and publish a system of rules and regulations for the government of said fire department.
Compensation.	SEC. 3. The council shall determine and fix the compensation of the chief of the fire department within the limitations contained in this act, and all other persons connected with the fire department of said city.
Council to secure efficiency in department.	SEC. 4. The council shall have power to organize said city into as many fire districts as it may deem necessary, to prescribe rules for the inspection of buildings by fire wardens, to control the cisterns and hydrants in use by said fire department, direct the manner in which the bells of the city shall be tolled or rung in case of fire or alarms of fire, and to establish and maintain efficient system of fire alarm telegraph, and such other telegraphic or telephonic apparatus as may be necessary to secure the highest efficiency of the department.
Council to prescribe duties of members of department.	SEC. 5. The council shall prescribe the duties of the chief of the fire department and other members of the fire department at fires, and may vest in them such powers as shall be deemed necessary to preserve property from being stolen, and to extinguish and prevent fires; but in no case shall any member of said council, or any officer of the city control or direct the chief of the fire department or assistants during any fire. The council may provide for the removal and keeping away from fires all idle, disorderly or suspicious persons and may confer powers for that purpose on the chief of the fire department, fire wardens, or other officers of the city. It shall require monthly reports from the chief of the fire department or other officers in charge of the department, of all fires, fire alarms, losses and insurance on all property destroyed and keep proper record thereof.
Exception.	
Power of council at fires.	
Reports.	
Who may command aid at fires.	SEC. 6. The chief, mayor, chief of police, any alderman, or officers of the fire department may command any person present at a fire to aid in the extinguishment thereof, and to assist in the protection of property thereat. If any person shall wilfully disobey any such lawful requirement or other lawful order and direction of any such officer, the officers giving the order may arrest or direct any policeman or citizen to arrest such person and confine him temporarily until the fire shall be extinguished, and in addition thereto he shall be punished in such a manner as may be prescribed by the ordinances of the city.
Punishment for refusal to obey.	
Who may cause building to be torn down.	SEC. 7. The officer in charge of the department at any fire, with the concurrence of any two aldermen, may cause any building to be pulled down or destroyed, when deemed necessary in order to arrest the progress of the fire, and any person having an interest in the building so pulled down or destroyed shall before bringing suit apply to the council, within three months thereafter, for damages or compensation for such

building, the council may in its discretion pay him such compensation as it may deem just; the council may ascertain such damage by agreement with the owner or person interested, or by the appraisal of a jury to be selected in the same manner as in case of taking private property for public use; and the council may cause the amount of any damages determined upon as aforesaid to be defrayed by special assessment upon the property which in its opinion was protected or benefited by the destruction of said building; but no damages shall be paid for the amount of any loss which would probably have occurred to such building if it had not been pulled down or otherwise destroyed.

Compensation.

Damages, how paid, etc.

SEC. 8. The council may provide suitable compensation for any injuries which any fireman or employe of said department may receive to his person or property in consequence of the performance of his duties at any fire, as it may deem just.

Compensation for injuries to firemen.

TITLE XVIII.

WATER DEPARTMENT.

SECTION 1. The city shall have power to establish, construct, maintain, regulate and keep in repair a system of water works for the purpose of supplying said city and its inhabitants with water for municipal, domestic and other purposes, and it shall be the duty of the council to enact any and all ordinances necessary to carry into effect the power and authority conferred upon the city relative to the water works of said city.

Power of city relative to water works.

SEC. 2. The council shall have the care, control, custody and management of all pumping houses, machinery, apparatus and property of every nature now or hereafter in use by the water department of said city, and the care, control and management of said department.

Council to have control, etc., of.

SEC. 3. The council shall annually, on the first Monday in May or as soon thereafter as may be, appoint as many and such assistant superintendents of the water department as in its judgment may be necessary to the efficient management of said department; one chief engineer and as many assistants as may be necessary, and such other officers, agents and servants as may be necessary for the proper management of said department; all of whom shall hold their positions during the pleasure of the council not exceeding one year, unless re-appointed. The council shall define the duties of all persons appointed to any position in said department or employed therein and, subject to the limitations contained in this act, shall fix and determine the compensation to be paid to them.

When to appoint officers.

Term of office.

Council to prescribe duties, etc.

Power of council relative to additional water supply.	<p>SEC. 4. Whenever it may become necessary in the opinion of the council to procure any additional water supply for the city and its inhabitants for the purposes hereinbefore named from any source or sources within or without the limits of said city, the council shall determine the kind and quantity of power and machinery required therefor; the pipes, conduits, and reservoirs to be used and the manner and extent of distribution in said city; and subject to the limitations in this act provided, may contract for all necessary work and labor and for the purchase or manufacture of all necessary material therefor; purchase and lease lands, water rights, and other privileges or franchises necessary to provide such supply; cause pipes to be laid in the streets, alleys, and lanes and through the public places or grounds in said city. Said council may, in its discretion, establish, erect and maintain, fire and public hydrants, jets and fountains.</p>
Machinery for.	
Lease of lands, etc.	
Hydrants, etc.	
Water rates, who to fix and to whom paid.	<p>SEC. 5. Said council shall fix and determine the rates to be paid by consumers of water, and the terms and conditions on which water shall be supplied by said department. Said rates shall be paid to the treasurer of said city, at such time or times, according to the terms and conditions aforesaid, as the council may determine, and shall be credited by said treasurer to the water fund of said city. Said council shall make all needful rules and regulations for the government of said department and the guidance of its officers, agents and employes, and for the collection of water rates, the payment of which it shall be the duty of said council to enforce by cutting off supply to the consumers and by depriving such delinquent consumers of such supply from said department, until all arrearages of water rates shall be paid; or payment of such arrearages of water rates may be enforced by suit in the name of the city, in any court of competent jurisdiction. Said rules and regulations shall be published in convenient form for the use of said department, its officers, agents and employes.</p>
Rules, etc.	

TITLE XIX.

POLICE DEPARTMENT.

When and how council to appoint police.	<p>SECTION 1. The council shall have power, and it shall be its duty, annually on the first Monday in May in each year or as soon thereafter as may be, to appoint by ballot or otherwise one deputy chief of police, and as many policemen as it may deem necessary, and to fix and determine their compensation. Such officers shall continue in office at the pleasure of said council for a term not exceeding one year: Provided, That no member of the police force during his term of office shall be appointed deputy or under sheriff for the county of</p>
Term of office. Proviso.	

Muskegon. It may also appoint as many special policemen, Special police. with or without compensation, in time of emergency or apprehended danger, as it shall deem expedient. The council may also, on application of any person or corporation, showing the necessity thereof, appoint any number of special policemen, to do duty at any designated place or places within said city, at the charge and expense of the person or corporation by whom the application was made. Such special policemen shall perform duty only at the places designated, and shall continue in office at the pleasure of said council for a term not exceeding one year.

SEC. 2. Said officers shall have the same power as constables now have by law, except as to the service and return of process in civil cases, and shall be subject to the same liability as otherwise provided by law. They shall have power and authority to execute, serve and return all process for the enforcement of all ordinances of said city and the provisions of this act, issued by any justice of peace, by the mayor or presiding officer of the council, or by any committee of the council, and shall perform such other duties not inconsistent with this act as the council may by ordinance or otherwise prescribe. To have same power as constables.

SEC. 3. The council may, whenever it shall deem proper, dismiss from the department and from service any employee of said department, with or without charges or trial, and no dismissed person shall be entitled to any compensation after said dismissal, and the council may at pleasure change any member of the police department, except the chief of police, from one grade of service to another, and may change the amount of compensation of any member of the department, except the chief of police, at any time, and may suspend any member of the department with loss of pay for such time as it may fix. May serve process.

SEC. 4. The council shall have the power and it shall be its duty to make all such rules and regulations for the government and discipline of said police department, as it may deem best to secure thoroughness and efficiency; it shall prescribe suitable uniforms and badges for the members of said department; it shall establish proper regulations for the care and management of such police stations as may be provided for the accommodation of the police force, for the lodging of vagrants and disorderly persons and for the temporary detention of persons suspected of crime, or arrested therefor. It shall purchase all supplies and materials needed for the use of the department. It may adopt such system of reports from members of the force to the chief, and from the chief to the council as it may think desirable. It shall prescribe the duties of the chief of police and of all regular and special policemen, in addition to those herein provided for, and shall provide for the preservation of the public peace, for the prevention of crime, for the arrest of all offenders against the peace and Council may dismiss, suspend, change grade, etc., of officers.

Stations.

Supplies.

Duties.

Powers.	good order of the city, and of all persons violating the ordinances of said city. The members of such force shall have the power to suppress all riots, disturbances and breaches of the peace; to apprehend any and all persons in the act of committing any offense against the laws of this State or the ordinances of the city and all truants, vagrants and disorderly persons, and to take the offender forthwith before the proper court or magistrate to be dealt with according to law. It shall provide for the protection of the rights of persons and property, for the preservation of order at fires, and at all railroad depots and steamboat landings, and shall cause the enforcement of all ordinances of the city and laws of the State in regard to police and public health.
Police not to receive gratuity.	SEC. 5. No member of the police force shall receive any fee, gratuity or compensation of any kind whatever for the performance of any duty imposed upon him by law, the ordinances of said city or the orders of his superior officers, except such compensation as may be authorized by the council, nor shall he receive any fee, gratuity or compensation as a consideration or inducement for remitting or delaying the performance of any duty pertaining to his office. Any person violating the provisions of this section shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State prison not more than three years, or by fine not exceeding one thousand dollars, or by both such fine and imprisonment in the discretion of the court.
Penalty.	

TITLE XX.

HEALTH DEPARTMENT.

Council to constitute board of health.	SECTION 1. The council shall constitute the board of health for said city of Muskegon, and shall have and exercise all the power and authority conferred on boards of health by the general laws of this State, so far as the same are consistent with the provisions of this charter.
Duty of.	SEC. 2. It shall be the duty of said board of health to adopt such rules and regulations for the preservation and protection of the health of the inhabitants of said city as in its judgment are deemed necessary.
Idem.	SEC. 3. If any cellar, vault, lot, privy, sewer or drain, place or premises within the city, shall be damp, unwholesome, offensive, or filthy, or be covered during any portion of the year with stagnant impure water, or shall be in such condition as to produce unwholesome or offensive exhalations, or be in a condition dangerous to public health, said board of health may cause the same to be drained, filled up, cleaned and purified, or require the owner or occupant, or person in charge of such lot, premises or place, to perform such duty; and may require the owner or occupant of any building,

fence or structure, which may be ruinous or liable to fall and injure persons or property, to pull down or remove the same, or the said board of health may cause the same to be done by the police department of said city.

SEC. 4. If any person, corporation or company shall neglect to remove or abate any nuisance, or to perform any requirement made by or in accordance with any ordinance or resolution of the council, for the protection of the health of the inhabitants of said city, and if any expense shall be incurred by the city in removing or abating such nuisance, or in causing such duty or requirement to be performed, such expense may be recovered by the city, in an action of assumpsit against said person, corporation or company; and in all cases where the city shall incur any expense for draining, filling, cleansing or purifying any lot, place or premises, or for removing any unsafe building or structure, or for removing or abating any nuisance found upon any such lot or premises the council may, in addition to all other remedies provided for the recovery of such expense, charge the same or such part thereof as it shall deem proper, upon the lot or premises, upon or on account of which such expenses were so incurred, or for which such nuisance was removed and abated, and cause the same to be assessed against such lot or premises, and collected as a special assessment in the same manner that special assessments for the construction and repair of sidewalks are collected, under the provisions of this act.

City may recover expense of abating nuisances.

SEC. 5. Subject to the limitations in this act provided, the council may purchase necessary lands and erect thereon or otherwise provide one or more hospitals within or without the city limits, which shall be under the charge and superintendence of said council as such board of health, and it shall be the duty of said council to provide for and appoint the necessary officers, attendants and employes for the care and management thereof, and for the care and treatment therein, of such sick and diseased persons as may be permitted by direction of the council to have the benefits thereof. The council may direct any person having any malignant, infectious or contagious disease to be removed to said hospital and there detained and treated when and so long as in its judgment the public safety may require; and it shall be the duty of the council to provide such restraints and punishments as shall be necessary to prevent any person, committed to such hospital for treatment for any malignant, infectious or contagious disease, from departing therefrom until discharged by said board of health.

May erect hospitals and maintain same.

What persons to be removed to.

SEC. 6. Said board of health shall make such regulations as it may deem necessary for the conduct of funerals of persons dying of malignant, infectious or contagious diseases and for the interment of the dead; it shall provide regulations for properly certifying and the recording of every death within the limits of the city, and for the record and certificate

Regulations as to funerals.

Record of death.

Burial
permits.

of the cause of death of any person, whose body may be brought within the limits of said city for interment, and to grant permits for the burial of the dead within said city and the cemeteries belonging to said city.

TITLE XXI.

CEMETERIES.

City may own,
etc.

Prescribe
burials.

Council may
raise money
for improve-
ment, etc., of.

Council to
have care,
etc., of.

Sale of lots.

Council
to appoint
employees, fix
compensation,
expend
moneys, etc.

Cemetery
fund.

SECTION 1. The city may acquire, hold and own such cemeteries or public burial place or places, either within or without the city limits, as in the opinion of the council shall be necessary for the public welfare. The council may prohibit the interment of the dead within the city, and limit such interment therein to such cemetery or burial place as it may prescribe, and may cause any body buried within the city in violation of any rule or ordinance made in reference thereto, to be taken up and buried elsewhere.

SEC. 2. The council may, within the limitations in this act contained, raise and appropriate such sums as may be necessary to purchase cemetery grounds, and for the improvement, adornment, protection and care thereof.

SEC. 3. The council is hereby invested with and shall have all the power and authority that may be necessary for the care, management and preservation of such cemeteries or burial place and places, for tombs and improvements therein and appurtenances thereof. They shall direct the improvement and embellishment of the ground; they shall cause such grounds to be laid out into lots, avenues and walks; the lots to be numbered and the avenues and walks to be named, and plats thereof to be made and recorded in the office of said board. They shall make sales of all such lots, at such price as the council shall prescribe. The conveyance of burial rights within such lots shall be executed in behalf of the city by the recorder of said city, and shall be recorded in his office.

SEC. 4. The council shall appoint all necessary superintendents and employees for the cemeteries, and shall fix and determine the compensation to be paid to them. It shall expend the money provided for the care and management and improvement of the grounds, enforce the ordinances of the city made for the management and care thereof, and make such regulations for the burial of the dead, the care and protection of the grounds, monuments, and appurtenances of the cemetery, and the orderly conduct of persons visiting the grounds, as may be consistent with the ordinances of the city and the laws of the State.

SEC. 5. All moneys raised for any public cemetery, authorized by this act, and all moneys received from the sale of lots therein or otherwise therefrom, shall be paid into the city

treasury, and shall be denominated the cemetery fund. Said fund shall not be devoted nor applied to any other purpose except for the purposes of such cemeteries. How applied.

SEC. 6. The council may pass and enforce all ordinances necessary to carry into effect the provisions herein contained, and to control and regulate such cemeteries and burial places and the improvement thereof, and for the preservation and protection of the same, and of any other cemetery or burial place within said city, belonging to or under the control of any church, religious society, corporation, company or association, and for the protection and preservation of all tombs and monuments therein, and improvements thereof, and the appurtenances thereto, and to punish violations of the same, and all orders and regulations made by said board. Council may pass ordinances.

TITLE XXII.

MISCELLANEOUS.

SECTION 1. The ordinances, rules and regulations of the city of Muskegon, and of the board of public works, under the former acts of incorporation, not inconsistent with the provisions of this act at the time this act shall take effect, are hereby continued in full force and effect until legally amended or repealed by the proper authorities of said city. Ordinances, etc., to continue in force.

SEC. 2. The council is hereby authorized to settle all accounts of the city, and to cause the books of account to be balanced, in such manner as to show the actual state and condition of each fund or account appearing thereon, and to cause to be done whatever else may be necessary to show the actual standing and condition of the financial affairs of the city, and to cause all funds in the city treasury, on the adoption of this act, to be transferred to such funds mentioned in this act as in its judgment may be proper. Duty of council on adoption of this act.

SEC. 3. The council is hereby authorized to make full provisions for the registration of electors and for holding the first election under this act in the several voting precincts of said city, but five days' notice of the first registration and election under this act shall be sufficient notice. First election.

SEC. 4. All acts and parts of acts, relating to the incorporation of the city of Muskegon, except as otherwise ordered, are hereby repealed, saving and reserving however all rights and rights of action existing, and the right to prosecute and defend all suits, for or against the city of Muskegon, under the former act of incorporation thereof, and all taxes levied and uncollected, at the time this act shall take effect, shall be collected the same as if this act had not been passed. Acts repealed. Rights reserved.

SEC. 5. All officers of the city, elected or appointed, under the provisions of the former act of incorporation of the city, and in office at the time this act shall take effect, shall con- Present officers to remain.

tinue to exercise their respective functions, under the provisions of this act, for the full term for which they were so elected or appointed.

City not to
execute bond
to perfect
appeal.

SEC. 6. Whenever an appeal shall be taken in any cause, in any court, or a writ of error issued in any suit brought by or against said city of Muskegon, it shall not be necessary, in order to perfect said appeal or to stay proceedings upon any judgment for the said city of Muskegon to execute any bond or other undertaking.

Act relative
to justices
repealed.

SEC. 7. Act number twenty-four of the public acts of eighteen hundred and ninety-nine, entitled "An act to provide for the election of but one justice of the peace, and one associate justice of the peace, in the city of Muskegon; to fill vacancies in said offices; to give to said city certain fines imposed by said justices, and the fees and earnings of said offices; to fix the compensation of said justices, prescribe their powers and duties; to abolish and discontinue the offices of the present four justices of the peace in said city, and to repeal all acts and parts of acts inconsistent with or contravening this act," is hereby repealed.

This act is ordered to take immediate effect.

Approved March 19, 1901.

[No. 345.]

AN ACT to authorize the county of Crawford to borrow money and issue bonds therefor, for the purpose of building a court house for said county.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

Interest.

Not to be
disposed of
for less than
par.

Money, how
used.

SECTION 1. That the county of Crawford, be and is hereby authorized and empowered to borrow on the faith and credit of said county a sum of money, not to exceed the sum of ten thousand dollars for a term of years not exceeding ten, at a rate of interest not exceeding six per cent per annum, payable annually; and to execute and issue the coupon bonds of said county therefor in such form as the board of supervisors of said county may determine, and to provide for the payment of the same, which bonds shall in no case be disposed of at less than their par value, and shall be made payable at such place as said board of supervisors shall direct.

SEC. 2. All money borrowed under the provisions of this act shall be used for the construction of a court house and jail for the use of said county, as prescribed by the said board of supervisors.

SEC. 3. It shall be the duty of said board of supervisors to provide by tax upon the taxable property of said county for the payment of the said bonds and interest as the same shall become due. Tax levy for payment.

This act is ordered to take immediate effect.

Approved March 20, 1901.

[No. 346.]

AN ACT to incorporate the city of Flint and to repeal all acts and parts of acts inconsistent herewith.

The People of the State of Michigan enact:

CHAPTER I.

BOUNDARIES OF THE CITY AND WARDS.

SECTION 1. That the district of country in the county of Genesee and State of Michigan, hereinafter particularly described, is hereby constituted and declared to be a city by the name of "the city of Flint," and subject to the municipal government of said city; said district of country being bounded as follows: Commencing at the northeasterly corner of Oak Park subdivision of part of sections one and two of Smith's reservation in said county, as platted and recorded; running thence northwesterly along the north line of said Oak Park subdivision to the Saginaw road, so called; thence across said Saginaw road to the north line of the south half of section one of said Smith's reservation; thence northwesterly along said north line of the south half of said section one of said reservation, to the northwesterly corner of said south half of said section one; thence southwesterly along the westerly line of said south half of said section one and along the westerly line of section two of said Smith's reservation, to the southwesterly corner thereof; thence along the westerly line of sub-lots three and eleven of Payne's replat of sections three, four and other sections of said reservation, to the Flint river; thence to the northwesterly corner of Glenwood cemetery; thence along the westerly line of said cemetery to the northern wagon road (so called); thence eastward along the north line of said road to a point opposite the northwesterly corner of lot ten of Thayer and Wright's out-lots to the city of Flint; thence across said road to said corner; thence southerly along the westerly line of said lot ten to its intersection with the northerly line of Wright's subdivision of Thayer and Wright's out-lots to the city of Flint; thence

Territory to constitute city.

Boundaries.

easterly on said last named line to its intersection with the division line between sections eight and nine of Smith's reservation; thence southerly along the said last named line to the Torrey road (so called); thence eastward along the northerly line of said Torrey road to the west line of town seven north of range seven east; thence southward along the said last named line to the south line of the north half of the north half of section nineteen of said town; thence east along said last named line to the west line of section twenty of said town; thence north along the west line of sections twenty and seventeen of said town to the southeasterly line of said Smith's reservation; thence northeasterly along the southeasterly line of said reservation to the easterly corner thereof; thence northerly along the southeasterly line of said Smith's reservation to the south line of the northeast fractional quarter of the southeast fractional quarter of section seven, in said township of Burton; thence east along said south line and the south line of northwest quarter of the southwest quarter of section eight, in said township of Burton, to the southeast corner thereon; thence north along the east line of said northwest quarter of southwest quarter of said section eight to the south line of the right of way of the Grand Trunk Western railroad to the lowest depression in the Gilkey creek (so called); thence northwesterly following the general course of the said Gilkey creek in the lowest depression thereof to the easterly line of the Richfield road (so called); thence southerly along said easterly line of said Richfield road to a point opposite the easterly corner of Thayer and Stewart's addition to the city of Flint; thence across said road to said corner; thence westerly along the northerly line of said addition to the east bank of Flint river thence northerly along the east bank of said river following the meanderings thereof, to a point opposite the northeasterly corner of said Oak Park sub-division; and thence across said river to the place of beginning.

Citizens
made a body
corporate.

SEC. 2. The freemen of said city, from time to time, being habitants thereof, shall be and continue to be a body corporate and politic by the name of "the city of Flint," and by that name they shall be known in law, and shall be capable of suing and being sued, and of prosecuting and defending all suits; they may have a common seal which they may alter at pleasure; and shall be capable of purchasing, holding, conveying and disposing of real and personal estate for the use of said corporation.

Divided into
wards.
First ward.

SEC. 3. Said city is hereby divided into six wards as follows, to wit: The first ward shall embrace all that portion of the city lying east of the center line of Detroit street south of Root street, and east of the center line of Root street and the center line of Root street extended in the same direction, to the northern limits of said city, and north and west of the

middle of Flint river. The second ward shall embrace all that portion of the city lying south of the middle of Flint river and east of the center line of Saginaw street north of Second street, and north of the center line of Second street west of Clifford street and east of the center line of Clifford street north of Court street and south of Second street, and north of the center line of Court street east of Clifford street. The third ward shall embrace all that portion of the city south of the middle of Flint river and west of the center line of Saginaw street and Saginaw road and east of the west line of the Fentonville road and the middle of Thread creek north of said road. The fourth ward shall embrace all that portion of the city west of the third ward and south of the middle of Flint river. The fifth ward shall embrace all that portion of the city north of the middle of Flint river and west of the center line of Detroit street south of Root street, and west of the center line of Root street and said center line of Root street extended in the same direction to the northern limits of said city. The sixth ward shall embrace all that portion of the city lying east of the center line of the Saginaw road and Saginaw street south of Second street and south of the center line of Second street west of Clifford street, and west of the center line of Clifford street north of Court street and south of Second street, and south of the center line of Court street east of Clifford street.

Second ward.

Third ward.

Fourth ward.

Fifth ward.

Sixth ward.

CHAPTER II.

ELECTORS AND REGISTRATION.

SECTION 1. The inhabitants of the city having the qualifications of electors under the constitution of the State and no others shall be electors therein.

Who to be electors.

SEC. 2. Every elector shall vote in the ward where he shall have resided during the twenty days next preceding the day of election and in the voting precinct in which he resides. The residence of any elector not being a householder shall be deemed to be in the ward and voting precinct in which his regular place of lodging is located.

Residence a qualification for voting.

SEC. 3. The boards of registration in the several voting precincts of the city, at their sessions previous to the general election in November, nineteen hundred and four, shall make a re-registration of the qualified electors of the respective voting precincts in books of the form provided by law. The same rules shall be observed in such registration as are provided by general law for the registration of electors in cities; and the like re-registration of the electors of each voting precinct shall be made at the session of the board next preceding the general election in November of each fourth year thereafter. In the meantime, and until such re-registration shall be made, the

Registration, when required.

Effect of new registration. registration made in the year nineteen hundred shall be and remain in full force, except as the same shall be from time to time modified by the changes made therein at the regular meetings of said boards next preceding election. When a new registry of electors shall be made, the former registry of electors shall not thereafter be used nor shall any person vote at any election in such voting precinct after such registration unless his name shall be registered. Notice that such registration is required to be made shall be given with the notice of the meeting or session of the board at which it is to be made.

Board of registration to meet, when. SEC. 4. On the Tuesday and Wednesday next preceding the general fall election and on the Wednesday next preceding the day of the regular city election, or any special election, and on such other days as shall be appointed by the council not exceeding three days in all, previous to any such election, the several boards of registration for the city, except as in this act otherwise provided, shall be in session at such places in their several precincts as shall be designated as hereinafter provided, from eight o'clock in the forenoon until eight o'clock in the afternoon, for the purpose of completing the list of qualified voters, during which session it shall be the right of each person then actually residing in the voting precinct, and who at the then next approaching election may be a qualified elector, whose name is not already registered, to have his name entered in the registry of such voting precinct. On the Saturday before each general or city election, there shall be a session of the several precinct boards of registration at the common council room in said city from eight o'clock in the forenoon until eight o'clock in the afternoon for the purpose of comparing, correcting and completing the several precinct lists. Precinct boards to meet in joint session. At such session the presence of one member of each precinct board of registration shall be necessary to constitute a quorum. Quorum. Applicants for registration being duly qualified electors, may register at such session, and the names of electors who have died or removed since the preceding election shall be erased with red ink with the remark, "dead" or "removed" with the date of erasure. If the name of any elector shall be erased by mistake, such elector may be registered on the day of election on his taking the oath provided therefor by the general statute.

Who to compose permanent board of registration. SEC. 5. The permanent board of registration of each precinct shall be composed of two persons; the aldermen of each ward containing but one voting precinct shall constitute the board of registration therein. In the several wards containing two voting precincts, the council shall assign the aldermen of said ward one to be a member of such board in each precinct thereof, and shall complete such board by appointing an elector of said precinct, not a member of the same political party with the alderman so appointed for the other member of said board, to the end that such board may be non-

To be non-partisan.

partisan. The notices of the time and place of registration in the several voting precincts shall be given by the council, who shall fix the same at least three weeks before the first session of said boards for every election, and the city clerk shall cause such notices to be duly posted in the several ward precincts at least two weeks before said first session: Proviso. Provided, That the council may fix the time and place of registration in the several wards and precincts of said city, at such time, and may give such notice thereof, prior to the first election to be held hereunder, as it shall deem proper or expedient; except as otherwise herein directed, the manner and detail of registration of electors in the several precincts shall be as provided by general statutes for the registration of electors in cities: Proviso. Provided, That in giving notice of registration for a special election, it shall not be necessary to print the names of the electors then duly registered. The common council shall have power to establish, and from time to time, re-establish such number of voting precincts in the several wards as shall comply as near as may be with the general law of the State in respect thereto. Vacancies in said board arising from any cause shall be filled by the council. The members of said boards of registration shall receive two dollars per day for each day's service thereon as compensation.

SEC. 6. At the first annual municipal election held after Annual election. the passage of this act, there shall be two aldermen elected in each of the following wards by the electors thereof, viz: The second and fifth; one of such aldermen to hold his office for one year, and the other alderman to hold his office for two years from and after such election and until their successors shall be elected and qualified. The term of office of each alderman shall be designated upon the ballot at such election. Election of aldermen, term of office. In each of the following wards, viz: The first, third, sixth and fourth, there shall be elected at said municipal election, one alderman who shall hold his office for two years from and after such election, and until his successor shall be elected and qualified. The alderman whose term of office shall first expire shall be designated as the senior alderman of the ward: Proviso. Provided, That each and every one of the present city and ward office holders of the city of Flint, so far as they, or any of them may or shall retain the legal qualifications therefor, both elective and appointive, shall continue to hold the office and to perform the duties thereof to which they have been respectively elected and appointed for the unexpired term thereof, and until their successors are elected and qualified, unless sooner removed for cause, the same as though this act had not been passed: Further proviso. And be it further provided, That the present city marshal shall continue to hold his office and to discharge the duties thereof after the passage of this act, until a chief of police shall be appointed and qualified as provided herein: And be it also further provided, That in case any of the aldermen elected and now holding office as

Proviso.	<p>such, whose term has not expired, shall, by reason of the passage of this act, find himself a resident of another ward than that in which he was elected, he shall continue to hold his said office and shall represent such new ward as one of its aldermen for the unexpired term and until his successor shall be elected and qualified: And provided further, That any and all public works and improvements, and any and all contracts entered into therefor by said city of Flint, which may be unfinished when this act shall take effect, and any and all assessments and tax levies, which may be required thereby, shall be carried on and completed under the provision of the general law or the former charter of the city of Flint relative thereto. The common council shall appoint two suitable electors in each of the following wards, viz: The fifth and sixth, who shall constitute and be the board of registration for said wards for the first municipal election after the passage of this act. And the said common council shall also as in this act provided for the appointment of election inspectors, appoint three suitable electors, residents in each of the following wards, viz: The fifth and sixth, who shall constitute and be a board of election inspectors for said wards for the first municipal election. Said inspectors shall appoint two clerks, who shall be electors of said wards to assist them in conducting the election, not more than one of whom shall belong to the same political party with the majority of the board. Said board of registration and of election inspectors shall be vested with the same powers and perform the same duties respectively as are delegated to and required of such boards by the charter of the city of Flint and general laws of the State in respect to general and municipal elections: And be it further provided, That the several boards of registration herein provided for and created shall make an entire new registration of the qualified electors of said city in the several wards and precincts thereof, for the first municipal election to be held on the first Monday of April, nineteen hundred one.</p>
Inspectors of election, who and how appointed.	
Clerks of election.	
Further proviso.	

CHAPTER III.

OFFICERS AND ELECTIONS.

Annual election.	<p>SECTION 1. The annual election under this act shall be held on the first Monday of April in each year, at such place in each of the several voting precincts as the common council shall designate. Notice of such election shall be given by the city clerk in the official paper of the city at least eight days before the election. At such election there shall be chosen in and for said city the following officers, to-wit: One mayor, one city clerk, one city attorney, one treasurer, one health</p>
Notice of election, how given.	
Officers chosen.	

officer and one justice of the peace. The mayor, city clerk, city attorney, treasurer and health officer shall be elected to hold their several offices for the year and until their successors shall be elected and qualified. The justice of the peace shall hold his office for four years from the fourth day of July next following his election. There shall also be elected at the same time and upon the same ticket in and for each of the wards of said city, one supervisor, one alderman, one member of the board of review and one constable. The supervisors and constables shall hold their offices for one year and until their successors shall be elected and qualified. The aldermen and members of the board of review shall hold their offices for two years and until their successors shall be elected and qualified: Provided, That at the charter election in the year nineteen hundred one one member of the board of review shall be elected in each ward, those chosen in the odd numbered wards to hold their offices for two years and those chosen in the even numbered wards to hold their offices for one year. Thereafter one member of said board of review for each odd numbered ward in each odd numbered year, and one member from each even numbered ward in each even numbered year to hold office for two years. If at the time of the said annual election there shall be a vacancy in any of said offices it shall be filled at said election for the remainder of the unexpired term, upon the same ticket, but the name of the candidate therefor shall be designated by the word "vacancy" following. The treasurer shall not be eligible to hold office longer than two in any consecutive years.

Term of office.

Proviso.

Vacancy, how filled.

SEC. 2. The common council may order special elections to be held to fill vacancies. In such cases notice thereof shall be given by the clerk in the official paper of the city for the same length of time as for a general election. And the common council may fill any vacancy occurring in any office until the next election, and the council, may by a two-thirds vote of all the members elect, on the recommendation of the mayor for neglect of duty, after a hearing, remove any officer of said city, and appoint his successor to fill the office till the next election.

Common council may fill vacancy.

SEC. 3. Previous to each annual charter election the common council shall appoint three inspectors of election for each voting precinct to hold office for one year. The supervisor and aldermen of each ward shall always be inspectors of election when not disqualified, and shall be assigned by the council to the voting precinct in which they shall act, and one of them shall always be assigned to each voting precinct. The several boards of inspectors shall be completed by appointment of competent electors residing in the precinct in which they are to act, and not more than two members of each of said boards shall belong to the same political party. At any elec-

Charter elections.

Who shall be inspectors.

To take oath.	tion, in case of the absence of one or more of such inspectors, the electors present may choose viva voce from their number one or more to fill such vacancies. The members of such
To appoint clerks.	board shall take the constitutional oath, which may be administered by either of said inspectors or by any justice of the peace. They may at such election appoint two clerks to assist them in conducting the election, not more than one of whom shall belong to the same political party with the
Manner of conducting said elections.	majority of the board. The manner of conducting all elections and canvassing the votes, and the qualifications of electors in the several voting precincts, except as otherwise
Inspectors to make certificates.	herein provided, shall be the same as that of townships, the words "voting precinct" instead of "township" being used in the oath administered to an elector in case his vote shall be challenged. At such charter election the said precinct inspectors shall make one certificate of the number of votes given for each person for the several offices to be filled, in
Council to determine who elected.	and for the city, and also one certificate of votes given for each person for the several offices to be filled in and for their wards, which certificates shall be immediately filed in the office of the clerk of said city, and upon the Thursday next following the day of said election at two o'clock p. m. the common council shall meet at the council room to canvass said returns, which said clerk shall thereupon lay before them. They shall then and there determine who, by the greatest number of votes given in the several precincts at
Notice of election, how given.	such election, are duly elected to fill the respective city offices, and also who by the greatest number of votes given in each ward at such election, are duly elected to fill the respective ward offices, and it shall be the duty of said clerk immediately after such determination to cause notice to be given to each of the persons so elected of their election, either personally or by mail. Each of said officers so elected and notified shall, within ten days thereafter, take and subscribe the constitutional oath of office before some person authorized to administer oaths, and deliver the same to the said clerk, who shall file it in his office. Said clerk shall also make a certificate of the election of the justice or justices, and cause it to be delivered to the county clerk in the same manner as is required of township clerks. In case two or more persons shall receive for any office an equal number of votes and a plurality of the votes given at such election, the common council shall immediately proceed to determine by lot between the persons so receiving the highest number of votes which shall be considered elected to such office. The terms of office of said city and ward officers (except justice of the peace) shall commence on the next day after such canvass and decision. In case any of the officers so elected shall neglect, for the term of ten days after being notified, to qualify as aforesaid or give the required security, the office shall thereby become vacant.
Officers to take oath.	
When office becomes vacant.	

SEC. 4. The said precinct boards of inspectors of election shall, after concluding the canvass of the votes at the general election held during their term make and file certificates of the number of votes cast at such election for the different candidates as provided by general law.

Precinct
board shall
record num-
ber of votes.

SEC. 5. The common council shall have the power and it shall be its duty on the first Monday in May each year to elect by ballot the following officers, to-wit: One city engineer, one chief of the fire department and such other officers whose election or appointment is not herein otherwise provided for, as said common council may deem necessary to carry into effect the powers granted by this act. Should there be more than one candidate for the same office the party receiving a majority vote of the aldermen elect shall be declared elected. All officers elected or appointed under this section shall hold their offices for one year and until their successors are elected and qualified. They shall file their oaths of office with the city clerk before entering upon the duties of their office.

Common
council to
elect certain
officers.

Term of office.

SEC. 6. No person shall be eligible to any office in said city unless he shall then be an elector and a resident thereof, nor shall any person be eligible to any office in any ward unless he shall then be an elector and a resident of such ward. If any officer shall cease to be a resident of the city, or if elected in and for a ward, shall remove therefrom during his term of office, the office shall thereby be vacated. Resignations by any officers authorized to be chosen or appointed by this act shall be made to the common council.

Residence
required to
hold office.

Resignations
made to
council.

CHAPTER IV.

DUTIES AND COMPENSATION OF OFFICERS.

SECTION 1. The mayor shall be the chief executive officer of the city. He shall preside at the meetings of the council and shall from time to time give the council information concerning the affairs of the corporation, and recommend such measures as he may deem expedient. It shall be his duty to exercise supervision over the several departments of the city government, and to see that the laws relating to the city and the ordinances and regulations of the common council are enforced.

Duties of
mayor.

SEC. 2. The mayor shall be a conservator of the peace and may exercise within the city the powers conferred upon sheriffs to suppress disorder, and shall have authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the city, and to suppress riot and disorderly conduct.

Idem.

SEC. 3. The mayor, by and with the consent of the council, by a majority vote of the aldermen elect, may remove any officer or member of any board appointed by him at any time

Mayor may
remove cer-
tain officers,
etc.

whenever he shall deem it for the best interest of the city, and may suspend any policeman for neglect of duty. He shall have the authority at all reasonable times to examine and inspect the books, records and papers of any agent, employe or officer of the corporation, and shall perform generally all such duties as are or may be prescribed by the ordinances of the city.

When president pro tempore to act.

SEC. 4. In the absence or disability of the mayor, or in case of any vacancy in his office, the president pro tempore of the council shall perform the duties of mayor during such absence, disability or vacancy.

ALDERMEN.

Duties of aldermen.

SEC. 5. The aldermen of the city shall be members of the council and attend the meetings thereof, and act upon committees, when thereunto appointed by the mayor or council. They shall be conservators of the peace and as such they shall aid in maintaining quiet and good order in the city, and in securing the faithful performance of duty by all officers of the city.

CHAPTER V.

CITY CLERK.

Duties and powers.

SECTION 1. The city clerk shall keep the corporate seal, and all the documents, official bonds, papers, files and records of the city, not by this act or the ordinances of the city entrusted to some other officer; he shall be the clerk of the council and of its committees, shall attend its meetings, record all its proceedings, ordinances and resolutions, and shall countersign and register all licenses granted; he shall, when required, make and certify, under the seal of the city, copies of the papers and records filed and kept in his office, and such copies shall be evidence in all places of the matters therein contained, to the same extent as the original would be; he shall possess and exercise the powers of a township clerk, so far as the same are required to be performed within the city, and he shall have authority to administer oaths and affirmations.

To be general accountant.

SEC. 2. The clerk, except as herein otherwise provided, shall be the general accountant of the city, and all claims against the corporation shall be filed with him for adjustment, and after examination thereof he shall report the same with all accompanying vouchers and counter claims of the city, and the true balance as found by him, to the council, or the proper committee thereof for allowance, and when allowed by the council, shall draw his warrant upon the treasurer for the payment thereof, designating thereon the

fund from which payment is to be made, and take proper receipts therefor, but no warrant shall be drawn upon any fund after the same has been exhausted. When any tax or money shall be levied, raised or appropriated, the clerk shall report the amount thereof to the city treasurer stating the objects and funds for which it is levied, raised or appropriated and the amount thereof to be credited to each fund.

To report
tax levy to
treasurer.

SEC. 3. The clerk, except as herein otherwise provided, shall exercise a general supervision over all officers charged in any manner with the receipt collection and disbursement of the city revenue and over all property and assets of the city; he shall have charge of all books, vouchers and documents relating to the accounts, contracts, debts and revenues of the corporation; he shall countersign and register all bonds issued, and keep a list of all property and effects belonging to the city and of all its debts and liabilities; he shall keep a complete set of books, exhibiting the financial condition of the corporation and all its departments, funds, resources and liabilities, with a proper classification thereof, and showing the purpose for which each fund was raised; he shall also keep an account with the treasurer, in which he shall charge him with all moneys received for each of the several funds of the city, and credit him with all the warrants drawn thereon, keeping a separate account with each fund; when any fund has been exhausted the clerk shall immediately advise the council thereof.

To have
supervision
of certain
officers.

To keep books
showing
financial
condition of
city.

SEC. 4. The clerk, except as herein otherwise provided, shall report to the council whenever required, a detailed statement of the receipts, expenditures and financial condition of the city, of the debts to be paid and moneys required to meet the estimated expenses of the corporation, and shall perform such other duties pertaining to his office as the council may require.

To report to
council when
required.

SEC. 5. The clerk may, subject to the approval of the council, by a majority vote of the aldermen elect, appoint a deputy, who shall possess all the powers and authority of the city clerk, and may exercise all the duties thereof, subject to the control of such clerk, and such deputy shall be paid for his services by the clerk unless otherwise provided by the council. The clerk shall be responsible for all the acts and defaults of such deputy, and may remove him at pleasure.

May appoint
deputy.

CHAPTER VI.

TREASURER.

SECTION 1. The treasurer shall receive all moneys belonging to the city and school district, and shall receive all the taxes of the city levied by order or authority of the council or board of education, except as herein otherwise provided.

Duties and
powers.

The treasurer shall also collect all rents, interest, claims and dues to said city, arising from rentals, leases, sales of property or claims of any other nature whatever, not herein otherwise provided for. He shall hold all bonds, notes, mortgages and other evidences of debt or value belonging to said corporation. He shall deposit the moneys of the city under the direction of the council and shall keep an accurate account of the same and of all receipts and expenditures thereof, and with every fund or appropriation thereof, made by this act or by the authority and direction of the council.

How money to
be paid out.

SEC. 2. The treasurer shall pay no money out of the treasury except by authority of law, or in satisfaction of warrants drawn by order of the council, signed by the city clerk and countersigned by the mayor, or of coupons and bonds regularly and lawfully issued by such city; or, in case of school money, on orders drawn by the president and secretary of the board of education. He shall keep an accurate account of and report to the council once in each month, or oftener if desired by the council, a detailed statement of all taxes collected and money received, as well as money disbursed by him, a copy of which report shall be filed with the city clerk, and at the end of every quarter shall make a full settlement with the city clerk and finance committee of the common council, producing the vouchers of all transactions, which vouchers shall be canceled by said committee and the result of said settlement reported to the council for their approval.

How bonds to
be paid.

SEC. 3. All bonds and all coupons shall be paid out of the particular funds constituted or raised for the purpose for which the same are issued, and warrants shall be paid only out of moneys in the funds against which the same are drawn, as written upon the face thereof. The treasurer shall keep a public office where the books and accounts in his charge belonging to the city, shall be open to the inspection of any taxpayer of said city at reasonable hours in any week day, and where all bonds, coupons and warrants shall be presented for payment, and the treasurer shall not discriminate as to parties holding bonds, coupons, warrants or other lawful demands, and shall pay them only when presented at his office unless a different place be named in such bond or other demand.

Books to
be open to
inspection.

To collect
all taxes.

The treasurer shall collect all the State and county taxes assessed and imposed upon the real and personal property of said city, and also all city, highway, sewer and school taxes and all such special taxes as may be from time to time levied by the council for the improvement of streets, the construction of sidewalks, or any other purpose authorized by this act or the laws of the State, the roll for which may be placed in his hands for collection by any proper officer of said city; and the warrant of the mayor and clerk of said city shall confer full power and authority upon said treasurer to collect by levy and sale all the taxes set forth upon any general or special roll so placed in his hands, the same as

May issue warrants, etc.

**Shall appoint
certain
officers.**

Shall have control of records, etc., of department.

[illegible]

CHAPTER VII.

CITY ATTORNEY.

Qualifications
and duties.

SECTION 1. The city attorney shall be an attorney and counselor at law of at least five years standing and admitted to practice in all courts of the State, and in addition to other duties prescribed in this act shall be the legal adviser of the council and of all officers and boards of the city, and shall act as the attorney and solicitor for the corporation in all legal proceedings in which the corporation is interested and he shall prosecute all offenses against the ordinances of the city.

CHAPTER VIII.

POLICE COMMISSION.

Common
council to
appoint.

SECTION 1. On the first Monday in May, A. D. nineteen hundred and one, or as soon thereafter as may be, the common council, upon the nomination of the mayor, shall appoint four suitable persons, electors of said city, not more than two of whom shall belong to the same political party, and who shall be ineligible to any other office under this act while holding said office and said persons so appointed, with the mayor, shall constitute a board of police commissioners for the city of Flint; one of said commissioners shall be appointed for one year, one for two years, one for three years and one for four years, and the common council, upon the nomination by the mayor shall, on the first Monday in May of each year thereafter, appoint one commissioner for the term of four years, and each of said commissioners shall hold office until his successor is appointed and qualified. The mayor shall be ex-officio chairman of said board. A majority of said board shall constitute a quorum. Said board shall have full power to try and determine all complaints against the chief of police or any policeman or watchman of said city and to remove them or any of them summarily, or on conviction of insubordination, neglect of duty or violation of the city ordinances, rules and regulations or of any laws of the city or State made or hereafter to be made for the government of the police department of the city of Flint. Said commissioners shall receive such compensation for their services as the common council of said city shall by resolution determine, and they may be removed for cause upon proper proceedings by the common council. In case of a vacancy the common council, upon the nomination of the mayor, shall appoint some person to fill the unexpired portion of the term. The city clerk shall be the clerk of said board and shall keep a correct record of its proceedings.

Quorum.

Powers.

Compensation.

SEC. 2. Said board shall be vested with full power to subpoena witnesses, issue warrants to compel the attendance of witnesses, administer oaths, take and record testimony, and to do such acts as may be lawful to be done by any court for the purposes mentioned in section one of this chapter.

May issue
warrants,
etc.

SEC. 3. The said board shall appoint a chief of police and other officers and such number of policemen with pay as the common council may provide for the payment of, and such number of watchmen without pay as said board shall deem expedient. The chief of police and other officers and policemen with pay shall be divided as nearly as may be into three divisions, the members of one division of which shall be appointed for one year, and of the second division for two years, and of the third division for three years, from the first Monday in May, nineteen hundred and one, and appointments shall thereafter be made for three years. In time of special emergency or apprehended danger from riot or other cause of alarm, said board may appoint as many patrolmen, with or without compensation, as they may deem expedient. No person shall be appointed to any position by said board who is not a citizen of the United States and who has not resided in said city at least one year next preceding said appointment.

Shall appoint
certain
officers.

SEC. 4. Said board shall assume and exercise the entire control of the police force of said city, and shall possess full power and authority over the police organization, government, appointment and discipline within said city. It shall have the custody and control of all public property, books, records and equipments belonging to the police department, but nothing in this section contained shall be held to abridge or annul the powers of the mayor as the chief executive officer of the city as within this act prescribed.

Shall have
control of
records, etc.,
of department.

SEC. 5. All members of the police force shall, before entering upon the duties of their office, make and file with the city clerk their official oath, according to law, and thereupon they shall possess all the common law and statutory power of constables and sheriffs, except for the service of civil process; they shall have the power to serve any subpoena, warrants, orders, notices, papers or process issued or directed by any justice of the peace or court in criminal cases in the State of Michigan, in the execution of the laws of this State for the prevention of crimes or the punishment of offenders. It shall be their duty to serve all summons, subpoenas, warrants, commitments, notices, orders, papers, processes, whatever, issued out of any justice court or by the several justices' courts of said city and in all cases brought for the violation of the city ordinances and in all civil cases where said city is a party, in any proceedings, except as herein otherwise provided, and shall attend upon said justices' courts and police court of said city whenever said courts are engaged in the trial of criminal or civil cases wherein said city is a party or

To take oath.

Duties.

is interested; and shall perform such other duties as the common council and board of police commissioners may at any time require.

SEC. 6. The common council shall fix the compensation of the chief of police and other appointees of said board, and all claims for the same and all accounts approved by the said board shall, when certified by the said board, be submitted to the common council for allowance and payment in the same manner as other claims against said city, and the board shall prepare and submit to the common council, on or before the first Monday in May, or as soon thereafter as may be, in each year, an estimate of the expenses of the police department for the ensuing year; and shall report to the council monthly the condition and needs of the department, together with such claims and accounts against the city as have been approved by said board.

To give notice
of resignation.

SEC. 7. No member of the police force, under penalty of forfeiting the pay which may be due to him, shall withdraw or resign from the police force, unless he shall have given one week's notice thereof in writing to said board, and no person who shall withdraw or resign without giving such notice, or who shall have been removed from the police force for cause, shall be re-appointed by the board of police commissioners to any office in the said police force, except on unanimous vote.

Security to be
entered into.

SEC. 8. The board of police commissioners shall require and make suitable provisions concerning security to be entered into by the chief of police and policemen, or other officers appointed by said board, conditioned for the performance of duty involving the care and disposition of property.

CHAPTER IX.

HEALTH OFFICER.

Qualifications.

SECTION 1. The health officer, in addition to the other required qualifications, must be a practicing physician and duly registered as such in the office of the county clerk as required by law. He must also be a graduate of some reputable medical college.

Duties.

His duties shall be such as are or may be required of him by the general laws or by this act and by the ordinances of the city of Flint.

CHAPTER X.

JUSTICES OF THE PEACE.

Jurisdiction
and powers.

SECTION 1. The justices of the peace of the city of Flint elected under the provisions of this act shall have and exercise therein and within the county of Genesee the same jurisdic-

tion and powers in all civil and criminal matters, causes, suits and proceedings, and shall perform the same duties in all respects so far as the occasion may require as are or may be required or conferred upon the justices of the peace by the general laws of the State. They shall also have jurisdiction in all civil cases within the jurisdiction of the justices of the peace when either of the parties shall reside in the county of Genesee. They shall have power and authority to inquire into, hear, try and determine suits or prosecutions for the recovery or enforcing of fines, penalties and forfeitures imposed by the ordinances of the city, and to punish offenders for violation of such ordinances as in the ordinances prescribed and directed, and all actions for encroachment upon or injury to any of the streets, lanes, alleys, bridges, parks, buildings, fences, gates, or any other public or private improvement within said city; they shall have power to take recognizances for good behavior for the appearance of the person charged with offenses and upon appeal, and to commit to prison as occasion may lawfully require. Each justice of the peace of said city, in addition to any other security required by law to be given for the performance of his official duties, before entering upon the duties of his office, shall give a bond to the city in the penalty of five hundred dollars with sufficient sureties to be approved by the common council, conditioned for the faithful performance of the duties of justice of the peace within and for said city, and to pay over to the city treasurer all moneys collected by or paid to him for the city, which bond shall be filed in the office of the city clerk.

To give bond
to city.

CHAPTER XI.

SUPERVISORS.

SECTION 1. The supervisor of each ward shall annually estimate the value of all the taxable, real and personal property in his ward, and make the assessment roll at the time and in the manner provided for supervisors of townships and file it with the city clerk on or before the third Monday of May in each year. In regard to the making of such assessment roll, he shall have all the powers and duties conferred by general law upon the supervisors of townships, but shall have no duties relative to the equalization of city rolls or extension of taxes. He shall also be a member of the board of supervisors of Genesee county, and represent his ward thereon, and shall exercise all the powers and perform all the duties upon such board that are conferred upon supervisors of townships.

To make
assessment
rolls.

To be member
of board of
supervisors.

CHAPTER XII.

CONSTABLES.

Powers. SECTION 1. The constables of the city shall have the like powers and authority in matters of civil and criminal nature, and in relation to the service of all manner of criminal process, as are conferred by law upon constables in townships, and shall receive the like fees for their services. The constables of the city shall obey all lawful orders of the mayor, aldermen and any justice of the peace exercising jurisdiction in causes for breaches of the ordinances of the city, and shall discharge all duties required of them by any ordinance, resolution or regulation of the council; and for any wilful neglect or refusal to perform such duties required of him, every constable shall be subject to a penalty of not less than five nor

Duties.

To give bond. more than one hundred dollars. Every constable, before entering upon the duties of his office, shall give such security for the performance of the duties of his office as is required by constables in townships, or as may be required by the council, and file the same with the city clerk.

CHAPTER XIII.

COMPENSATION OF OFFICERS.

Salaries, fees, etc. SECTION 1. The mayor and aldermen of said city shall be paid one hundred dollars each per annum; the city clerk, city attorney, chief of police, policemen, health officer, engineer and chief of fire department shall each receive such salary payable monthly or quarterly, as the common council shall by resolution determine. The city treasurer shall receive such fees as shall be provided for collection of taxes and assessments which shall be in full payment for all services as such treasurer. The supervisors for their services as assessors shall receive two dollars per day for the time actually spent, and the members of the board of review shall receive the same per diem compensation. The compensation of all other officers and members of the police and fire departments shall be such as the council may determine.

Council to determine certain.

CHAPTER XIV.

COMMON COUNCIL.

What to constitute. SECTION 1. The mayor and aldermen when assembled together and duly organized, shall constitute the common council of the city of Flint, and a majority of the aldermen shall be necessary to constitute a quorum for the transaction of

business though a less number may adjourn the council from time to time. The common council shall meet in regular session in the common council room on the second Monday of each month, and at such other times as it may by rule determine. It may be called together in special session by the mayor or by the clerk on petition of not less than three aldermen, but shall transact only such business at such special meeting, as shall be named in the call, which call shall be in writing and served by the chief of police or one of his subordinates personally on the aldermen, or by leaving the same at their residence not less than four hours before such meeting is to be held. The mayor shall be president of the council and preside at all meetings when present. At the first regular meeting in May, or as soon thereafter as may be convenient, the council shall choose one of their number president pro tem., who shall preside in the absence of the mayor, and for the time being shall exercise the powers and discharge the duties of the president. He shall always be entitled to vote. The clerk shall not in any case be entitled to a vote in the council. All meetings and sessions of the council shall be in public. No office shall be created or abolished, nor any special tax or assessment be imposed, street, alley or public ground be vacated, real estate or any interest therein sold or disposed of, or private property taken for public use, unless by a concurring vote of two-thirds of all the members elect, nor shall any vote of the council be reconsidered at a special meeting unless there be present as many members as were present when such vote was taken. No money shall be expended except by ordinance or resolution of the council, nor shall any resolution be passed or adopted except by a vote of a majority of all the members elect, except as herein otherwise provided. The mayor shall not vote upon any question, but he may disapprove of any ordinance or resolution, provided he shall as soon as the next regular meeting, return the same to the council with his objections in writing, in which case the same shall not take effect unless the council on such return, shall by a vote of two-thirds of all the members elect again pass the same; and on such two-thirds vote, such ordinance or resolution shall have the same force and effect as though the same had not been disapproved by the mayor.

Regular session, when held.

Special meetings, how called.

President pro tem.

Two-thirds vote required for certain purposes.

Mayor not to vote.

Sec. 2. The council shall be the judge of election returns and qualifications of its own members. It shall prescribe the rules of its own proceedings and keep a record or a journal thereof. All votes on appointments to office and measures incurring expense, and on the adoption of all ordinances shall be taken by yeas and nays and be so entered upon the journal as to show the names of those voting in the affirmative and those in the negative. Any one member of the council shall have the right to demand the yeas and nays on any question and all votes so given shall be entered at

Powers of council.

whenever he shall deem it for the best interest of the city, and may suspend any policeman for neglect of duty. He shall have the authority at all reasonable times to examine and inspect the books, records and papers of any agent, employe or officer of the corporation, and shall perform generally all such duties as are or may be prescribed by the ordinances of the city.

When president pro tempore to act.

SEC. 4. In the absence or disability of the mayor, or in case of any vacancy in his office, the president pro tempore of the council shall perform the duties of mayor during such absence, disability or vacancy.

ALDERMEN.

Duties of aldermen.

SEC. 5. The aldermen of the city shall be members of the council and attend the meetings thereof, and act upon committees, when thereunto appointed by the mayor or council. They shall be conservators of the peace and as such they shall aid in maintaining quiet and good order in the city, and in securing the faithful performance of duty by all officers of the city.

CHAPTER V.

CITY CLERK.

Duties and powers.

SECTION 1. The city clerk shall keep the corporate seal, and all the documents, official bonds, papers, files and records of the city, not by this act or the ordinances of the city entrusted to some other officer; he shall be the clerk of the council and of its committees, shall attend its meetings, record all its proceedings, ordinances and resolutions, and shall countersign and register all licenses granted; he shall, when required, make and certify, under the seal of the city, copies of the papers and records filed and kept in his office, and such copies shall be evidence in all places of the matters therein contained, to the same extent as the original would be; he shall possess and exercise the powers of a township clerk, so far as the same are required to be performed within the city, and he shall have authority to administer oaths and affirmations.

To be general accountant.

SEC. 2. The clerk, except as herein otherwise provided, shall be the general accountant of the city, and all claims against the corporation shall be filed with him for adjustment, and after examination thereof he shall report the same with all accompanying vouchers and counter claims of the city, and the true balance as found by him, to the council, or the proper committee thereof for allowance, and when allowed by the council, shall draw his warrant upon the treasurer for the payment thereof, designating thereon the

fund from which payment is to be made, and take proper receipts therefor, but no warrant shall be drawn upon any fund after the same has been exhausted. When any tax or money shall be levied, raised or appropriated, the clerk shall report the amount thereof to the city treasurer stating the objects and funds for which it is levied, raised or appropriated and the amount thereof to be credited to each fund.

To report
tax levy to
treasurer.

SEC. 3. The clerk, except as herein otherwise provided, shall exercise a general supervision over all officers charged in any manner with the receipt collection and disbursement of the city revenue and over all property and assets of the city; he shall have charge of all books, vouchers and documents relating to the accounts, contracts, debts and revenues of the corporation; he shall countersign and register all bonds issued, and keep a list of all property and effects belonging to the city and of all its debts and liabilities; he shall keep a complete set of books, exhibiting the financial condition of the corporation and all its departments, funds, resources and liabilities, with a proper classification thereof, and showing the purpose for which each fund was raised; he shall also keep an account with the treasurer, in which he shall charge him with all moneys received for each of the several funds of the city, and credit him with all the warrants drawn thereon, keeping a separate account with each fund; when any fund has been exhausted the clerk shall immediately advise the council thereof.

To have
supervision
of certain
officers.

To keep books
showing
financial
condition of
city.

SEC. 4. The clerk, except as herein otherwise provided, shall report to the council whenever required, a detailed statement of the receipts, expenditures and financial condition of the city, of the debts to be paid and moneys required to meet the estimated expenses of the corporation, and shall perform such other duties pertaining to his office as the council may require.

To report to
council when
required.

SEC. 5. The clerk may, subject to the approval of the council, by a majority vote of the aldermen elect, appoint a deputy, who shall possess all the powers and authority of the city clerk, and may exercise all the duties thereof, subject to the control of such clerk, and such deputy shall be paid for his services by the clerk unless otherwise provided by the council. The clerk shall be responsible for all the acts and defaults of such deputy, and may remove him at pleasure.

May appoint
deputy.

CHAPTER VI.

TREASURER.

SECTION 1. The treasurer shall receive all moneys belonging to the city and school district, and shall receive all the taxes of the city levied by order or authority of the council or board of education, except as herein otherwise provided.

Duties and
powers.

The treasurer shall also collect all rents, interest, claims and dues to said city, arising from rentals, leases, sales of property or claims of any other nature whatever, not herein otherwise provided for. He shall hold all bonds, notes, mortgages and other evidences of debt or value belonging to said corporation. He shall deposit the moneys of the city under the direction of the council and shall keep an accurate account of the same and of all receipts and expenditures thereof, and with every fund or appropriation thereof, made by this act or by the authority and direction of the council.

How money to
be paid out.

Sec. 2. The treasurer shall pay no money out of the treasury except by authority of law, or in satisfaction of warrants drawn by order of the council, signed by the city clerk and countersigned by the mayor, or of coupons and bonds regularly and lawfully issued by such city; or, in case of school money, on orders drawn by the president and secretary of the board of education. He shall keep an accurate account of and report to the council once in each month, or oftener if desired by the council, a detailed statement of all taxes collected and money received, as well as money disbursed by him, a copy of which report shall be filed with the city clerk, and at the end of every quarter shall make a full settlement with the city clerk and finance committee of the common council, producing the vouchers of all transactions, which vouchers shall be canceled by said committee and the result of said settlement reported to the council for their approval.

How bonds to
be paid.

Sec. 3. All bonds and all coupons shall be paid out of the particular funds constituted or raised for the purpose for which the same are issued, and warrants shall be paid only out of moneys in the funds against which the same are drawn, as written upon the face thereof. The treasurer shall keep a public office where the books and accounts in his charge belonging to the city, shall be open to the inspection of any taxpayer of said city at reasonable hours in any week day, and where all bonds, coupons and warrants shall be presented for payment, and the treasurer shall not discriminate as to parties holding bonds, coupons, warrants or other lawful demands, and shall pay them only when presented at his office unless a different place be named in such bond or other demand. The treasurer shall collect all the State and county taxes assessed and imposed upon the real and personal property of said city, and also all city, highway, sewer and school taxes and all such special taxes as may be from time to time levied by the council for the improvement of streets, the construction of sidewalks, or any other purpose authorized by this act or the laws of the State, the roll for which may be placed in his hands for collection by any proper officer of said city; and the warrant of the mayor and clerk of said city shall confer full power and authority upon said treasurer to collect by levy and sale all the taxes set forth upon any general or special roll so placed in his hands, the same as

Books to
be open to
inspection.

To collect
all taxes.

warrants made by supervisors of townships under the laws of this State, and such treasurer shall give receipts for all taxes collected by him and mark the same paid upon the proper rolls, and shall, on the first Monday of each month, or oftener, if required by the council, deposit with the city clerk a detailed statement of all the collections so made, and shall make due return of all rolls and the uncollected taxes thereon, as required by the warrants of the mayor and clerk, the provisions of this act and the laws of this State: **Provided, That** the returns of all State and county taxes shall be made direct to the county treasurer of Genesee county. The city treasurer shall appoint one or more deputy treasurers, subject to the approval of the council, by a majority vote of the aldermen elect. Such appointment shall be made in writing and be filed with the clerk; such deputy shall have all the powers and authority of the city treasurer subject to the control of such treasurer, and the treasurer shall be responsible for all such acts of his deputy and shall pay him for his services unless otherwise provided by the council. Such deputy or deputies may be removed by the treasurer at will. The treasurer shall obey all the orders and resolutions of the council not inconsistent with the provisions of this act, and shall turn over to his successor in office all moneys, books, papers and property of every kind and description due and belonging to such city, on demand.

Proviso.

**Shall appoint
deputies.**

SEC. 4. The city treasurer shall receive from the county treasurer for the use of the union school district of the city of Flint all school and library moneys coming to his hands to which the district shall be entitled; and for that purpose such school district shall be considered, under the laws relating to distribution of primary school and library moneys, the same as a township. Said city treasurer shall keep an account of all the school and library moneys of the district in such a manner as the board of education may require, and account therefor to said board whenever they shall direct. He shall pay out no moneys of the district except upon such warrants or vouchers as the board of education shall prescribe.

**Shall receive
school
moneys.**

SEC. 5. The city treasurer shall keep all moneys in his hands belonging to the city and to the public school separate and distinct from his own money, and he is hereby prohibited from using either directly or indirectly, the corporation's moneys, warrants or the evidence of debt, or any of the school or library funds in his custody or keeping for his own use or benefit or that of any other person. Any violation of this section shall subject him to immediate removal from office by the council and the council is hereby authorized for such cause to declare the office vacant and to appoint his successor for the remainder of his term.

**Shall keep
public and
private funds
separate.**

CHAPTER VII.

CITY ATTORNEY.

Qualifications
and duties.

SECTION 1. The city attorney shall be an attorney and counselor at law of at least five years standing and admitted to practice in all courts of the State, and in addition to other duties prescribed in this act shall be the legal adviser of the council and of all officers and boards of the city, and shall act as the attorney and solicitor for the corporation in all legal proceedings in which the corporation is interested and he shall prosecute all offenses against the ordinances of the city.

CHAPTER VIII.

POLICE COMMISSION.

Common
council to
appoint.

SECTION 1. On the first Monday in May, A. D. nineteen hundred and one, or as soon thereafter as may be, the common council, upon the nomination of the mayor, shall appoint four suitable persons, electors of said city, not more than two of whom shall belong to the same political party, and who shall be ineligible to any other office under this act while holding said office and said persons so appointed, with the mayor, shall constitute a board of police commissioners for the city of Flint; one of said commissioners shall be appointed for one year, one for two years, one for three years and one for four years, and the common council, upon the nomination by the mayor shall, on the first Monday in May of each year thereafter, appoint one commissioner for the term of four years, and each of said commissioners shall hold office until his successor is appointed and qualified. The mayor shall be ex-officio chairman of said board. A majority of said board shall constitute a quorum. Said board shall have full power to try and determine all complaints against the chief of police or any policeman or watchman of said city and to remove them or any of them summarily, or on conviction of insubordination, neglect of duty or violation of the city ordinances, rules and regulations or of any laws of the city or State made or hereafter to be made for the government of the police department of the city of Flint. Said commissioners shall receive such compensation for their services as the common council of said city shall by resolution determine, and they may be removed for cause upon proper proceedings by the common council. In case of a vacancy the common council, upon the nomination of the mayor, shall appoint some person to fill the unexpired portion of the term. The city clerk shall be the clerk of said board and shall keep a correct record of its proceedings.

Quorum.

Powers.

Compensation.

SEC. 2. Said board shall be vested with full power to subpoena witnesses, issue warrants to compel the attendance of witnesses, administer oaths, take and record testimony, and to do such acts as may be lawful to be done by any court for the purposes mentioned in section one of this chapter.

May issue warrants, etc..

SEC. 3. The said board shall appoint a chief of police and other officers and such number of policemen with pay as the common council may provide for the payment of, and such number of watchmen without pay as said board shall deem expedient. The chief of police and other officers and policemen with pay shall be divided as nearly as may be into three divisions, the members of one division of which shall be appointed for one year, and of the second division for two years, and of the third division for three years, from the first Monday in May, nineteen hundred and one, and appointments shall thereafter be made for three years. In time of special emergency or apprehended danger from riot or other cause of alarm, said board may appoint as many patrolmen, with or without compensation, as they may deem expedient. No person shall be appointed to any position by said board who is not a citizen of the United States and who has not resided in said city at least one year next preceding said appointment.

Shall appoint certain officers.

SEC. 4. Said board shall assume and exercise the entire control of the police force of said city, and shall possess full power and authority over the police organization, government, appointment and discipline within said city. It shall have the custody and control of all public property, books, records and equipments belonging to the police department, but nothing in this section contained shall be held to abridge or annul the powers of the mayor as the chief executive officer of the city as within this act prescribed.

Shall have control of records, etc., of department.

SEC. 5. All members of the police force shall, before entering upon the duties of their office, make and file with the city clerk their official oath, according to law, and thereupon they shall possess all the common law and statutory power of constables and sheriffs, except for the service of civil process; they shall have the power to serve any subpoena, warrants, orders, notices, papers or process issued or directed by any justice of the peace or court in criminal cases in the State of Michigan, in the execution of the laws of this State for the prevention of crimes or the punishment of offenders. It shall be their duty to serve all summons, subpoenas, warrants, commitments, notices, orders, papers, processes, whatever, issued out of any justice court or by the several justices' courts of said city and in all cases brought for the violation of the city ordinances and in all civil cases where said city is a party, in any proceedings, except as herein otherwise provided, and shall attend upon said justices' courts and police court of said city whenever said courts are engaged in the trial of criminal or civil cases wherein said city is a party or

To take oath.

Duties.

is interested; and shall perform such other duties as the common council and board of police commissioners may at any time require.

SEC. 6. The common council shall fix the compensation of the chief of police and other appointees of said board, and all claims for the same and all accounts approved by the said board shall, when certified by the said board, be submitted to the common council for allowance and payment in the same manner as other claims against said city, and the board shall prepare and submit to the common council, on or before the first Monday in May, or as soon thereafter as may be, in each year, an estimate of the expenses of the police department for the ensuing year; and shall report to the council monthly the condition and needs of the department, together with such claims and accounts against the city as have been approved by said board.

To give notice
of resignation.

SEC. 7. No member of the police force, under penalty of forfeiting the pay which may be due to him, shall withdraw or resign from the police force, unless he shall have given one week's notice thereof in writing to said board, and no person who shall withdraw or resign without giving such notice, or who shall have been removed from the police force for cause, shall be re-appointed by the board of police commissioners to any office in the said police force, except on unanimous vote.

Security to be
entered into.

SEC. 8. The board of police commissioners shall require and make suitable provisions concerning security to be entered into by the chief of police and policemen, or other officers appointed by said board, conditioned for the performance of duty involving the care and disposition of property.

CHAPTER IX.

HEALTH OFFICER.

Qualifications.

SECTION 1. The health officer, in addition to the other required qualifications, must be a practicing physician and duly registered as such in the office of the county clerk as required by law. He must also be a graduate of some reputable medical college.

Duties.

His duties shall be such as are or may be required of him by the general laws or by this act and by the ordinances of the city of Flint.

CHAPTER X.

JUSTICES OF THE PEACE.

Jurisdiction
and powers.

SECTION 1. The justices of the peace of the city of Flint elected under the provisions of this act shall have and exercise therein and within the county of Genesee the same jurisdic-

tion and powers in all civil and criminal matters, causes, suits and proceedings, and shall perform the same duties in all respects so far as the occasion may require as are or may be required or conferred upon the justices of the peace by the general laws of the State. They shall also have jurisdiction in all civil cases within the jurisdiction of the justices of the peace when either of the parties shall reside in the county of Genesee. They shall have power and authority to inquire into, hear, try and determine suits or prosecutions for the recovery or enforcing of fines, penalties and forfeitures imposed by the ordinances of the city, and to punish offenders for violation of such ordinances as in the ordinances prescribed and directed, and all actions for encroachment upon or injury to any of the streets, lanes, alleys, bridges, parks, buildings, fences, gates, or any other public or private improvement within said city; they shall have power to take recognizances for good behavior for the appearance of the person charged with offenses and upon appeal, and to commit to prison as occasion may lawfully require. Each justice of the peace of said city, in addition to any other security required by law to be given for the performance of his official duties, before entering upon the duties of his office, shall give a bond to the city in the penalty of five hundred dollars with sufficient sureties to be approved by the common council, conditioned for the faithful performance of the duties of justice of the peace within and for said city, and to pay over to the city treasurer all moneys collected by or paid to him for the city, which bond shall be filed in the office of the city clerk.

To give bond
to city.

CHAPTER XI.

SUPERVISORS.

SECTION 1. The supervisor of each ward shall annually estimate the value of all the taxable, real and personal property in his ward, and make the assessment roll at the time and in the manner provided for supervisors of townships and file it with the city clerk on or before the third Monday of May in each year. In regard to the making of such assessment roll, he shall have all the powers and duties conferred by general law upon the supervisors of townships, but shall have no duties relative to the equalization of city rolls or extension of taxes. He shall also be a member of the board of supervisors of Genesee county, and represent his ward thereon, and shall exercise all the powers and perform all the duties upon such board that are conferred upon supervisors of townships.

To make
assessment
rolls.

To be member
of board of
supervisors.

CHAPTER XII.

CONSTABLES.

Powers. SECTION 1. The constables of the city shall have the like powers and authority in matters of civil and criminal nature, and in relation to the service of all manner of criminal process, as are conferred by law upon constables in townships, and shall receive the like fees for their services. The constables of the city shall obey all lawful orders of the mayor, aldermen and any justice of the peace exercising jurisdiction in causes for breaches of the ordinances of the city, and shall discharge all duties required of them by any ordinance, resolution or regulation of the council; and for any wilful neglect or refusal to perform such duties required of him, every constable shall be subject to a penalty of not less than five nor more than one hundred dollars. Every constable, before entering upon the duties of his office, shall give such security for the performance of the duties of his office as is required by constables in townships, or as may be required by the council, and file the same with the city clerk.

Duties.

To give bond.

CHAPTER XIII.

COMPENSATION OF OFFICERS.

Salaries, fees, etc. SECTION 1. The mayor and aldermen of said city shall be paid one hundred dollars each per annum; the city clerk, city attorney, chief of police, policemen, health officer, engineer and chief of fire department shall each receive such salary payable monthly or quarterly, as the common council shall by resolution determine. The city treasurer shall receive such fees as shall be provided for collection of taxes and assessments which shall be in full payment for all services as such treasurer. The supervisors for their services as assessors shall receive two dollars per day for the time actually spent, and the members of the board of review shall receive the same per diem compensation. The compensation of all other officers and members of the police and fire departments shall be such as the council may determine.

Council to determine certain.

CHAPTER XIV.

COMMON COUNCIL.

What to constitute. SECTION 1. The mayor and aldermen when assembled together and duly organized, shall constitute the common council of the city of Flint, and a majority of the aldermen shall be necessary to constitute a quorum for the transaction of

business though a less number may adjourn the council from time to time. The common council shall meet in regular session in the common council room on the second Monday of each month, and at such other times as it may by rule determine. It may be called together in special session by the mayor or by the clerk on petition of not less than three aldermen, but shall transact only such business at such special meeting, as shall be named in the call, which call shall be in writing and served by the chief of police or one of his subordinates personally on the aldermen, or by leaving the same at their residence not less than four hours before such meeting is to be held. The mayor shall be president of the council and preside at all meetings when present. At the first regular meeting in May, or as soon thereafter as may be convenient, the council shall choose one of their number president pro tem., who shall preside in the absence of the mayor, and for the time being shall exercise the powers and discharge the duties of the president. He shall always be entitled to vote. The clerk shall not in any case be entitled to a vote in the council. All meetings and sessions of the council shall be in public. No office shall be created or abolished, nor any special tax or assessment be imposed, street, alley or public ground be vacated, real estate or any interest therein sold or disposed of, or private property taken for public use, unless by a concurring vote of two-thirds of all the members elect, nor shall any vote of the council be reconsidered at a special meeting unless there be present as many members as were present when such vote was taken. No money shall be expended except by ordinance or resolution of the council, nor shall any resolution be passed or adopted except by a vote of a majority of all the members elect, except as herein otherwise provided. The mayor shall not vote upon any question, but he may disapprove of any ordinance or resolution, provided he shall as soon as the next regular meeting, return the same to the council with his objections in writing, in which case the same shall not take effect unless the council on such return, shall by a vote of two-thirds of all the members elect again pass the same; and on such two-thirds vote, such ordinance or resolution shall have the same force and effect as though the same had not been disapproved by the mayor.

Regular session, when held.

Special meetings, how called.

President pro tem.

Two-thirds vote required for certain purposes.

Mayor not to vote.

SEC. 2. The council shall be the judge of election returns and qualifications of its own members. It shall prescribe the rules of its own proceedings and keep a record or a journal thereof. All votes on appointments to office and measures incurring expense, and on the adoption of all ordinances shall be taken by yeas and nays and be so entered upon the journal as to show the names of those voting in the affirmative and those in the negative. Any one member of the council shall have the right to demand the yeas and nays on any question and all votes so given shall be entered at

Powers of council.

Proceedings to be published.	large on the journal. Within one week after any meeting of the council, all the proceedings and votes taken thereat, shall be published in the official paper of the city.
Powers as to members.	SEC. 3. The council may compel the attendance of its members and other officers of the city at its meetings in such manner, and may enforce such fines for non-attendance as may by ordinance be prescribed, and may by ordinance prescribe punishment for any misbehavior, contemptuous or disorderly conduct by any member, or any other person present at any session of the council.
Officers to attend meetings of council.	SEC. 4. The city attorney and chief of police shall attend all meetings of the council, and the council may require the attendance of any other city official at any session thereof.
Council to have control of property.	SEC. 5. The council shall have control of the finances and of all the property, real or personal, of the city, except as may be otherwise provided by law. It shall have no control over school funds. It may provide for the appointment of standing or select committees of its members who shall perform such duties, investigate, have charge of and report upon such matters as may be properly referred to them.
Auditing of claims.	SEC. 6. The council shall by majority vote of a quorum present, audit and allow all accounts and claims chargeable against the city; but no account, claim or contract shall be received for audit or allowance unless it shall be accompanied with a certificate of an officer of the corporation, or an affidavit of the person rendering it, to the effect that he verily believes that the services therein charged have been actually performed, or the property delivered for the city, that the sums charged therefor are reasonable and just, and that to the best of his knowledge and belief no set off exists, nor payment has been made on account thereof except such as are endorsed upon or referred to in such account or claim, and every such account shall exhibit in detail all the items making up the amount claimed and the true date of each. It shall be a sufficient defense in any court to any action or proceeding for the collection of any demand or claim against the city, for personal injuries or otherwise, that it has never been presented to the council for allowance, or, if such claim is founded on contract, that the same was presented without the certificate or affidavit aforesaid and rejected for that reason, or that the action or proceeding was brought before the council had a reasonable time to investigate and pass upon it.
Claims to be presented to council before suit.	
When debarred from holding office.	SEC. 7. No member of the common council shall, during the period for which he is elected, be appointed to or be competent to hold any office, the emoluments of which are to be paid by fees provided by any act or ordinance of the common council, or be bondsman or surety on any contract or bond given to said city; but this section shall not be construed to deprive any member of any emoluments or fees to which he may be entitled by virtue of his office. No member shall vote upon any measure pending before the council in which he shall have a direct pecuniary interest.

SEC. 8. It shall be lawful for the common council, subject to the provisions of this act, to issue bonds for any sum of money, not exceeding five per cent of the assessed valuation of the real and personal property in said city, as shown by the last preceding tax roll, to be used exclusively for the purpose of purchasing, constructing or extending water works, and to maintain and operate the same, and for the purpose of purchasing or constructing, maintaining and operating an electric light plant for supplying said city and the inhabitants thereof, or either, with water or electric lights.

May issue bonds, for what purposes.

SEC. 9. Whenever the common council shall by resolution declare that it is expedient for said city to issue bonds, to acquire by purchase or to construct, as the case may be, works for the purpose of supplying said city and the inhabitants thereof, or either, with water, or with electric lights, the council shall direct the city engineer to cause to be made and recorded in the clerk's office an estimate of the expense thereof and submit the same to the common council. The question of bonding said city for said purpose shall be submitted to the taxpaying electors of the city at its annual election, or at a special election called for that purpose by the council, as provided in this act, and shall be determined as a majority of the taxpaying electors voting at such election by ballot shall decide. The council shall have power to fix the time and place of payment of the principal and interest of the debt contracted under the provisions of this act, but the rate of such interest shall not exceed five per cent per annum and such bonds shall not be sold for less than their par value.

To be submitted to council.

Question of bonds to be submitted to taxpayers.

SEC. 10. The common council in addition to the duties specially conferred upon them in this act, shall have power within said city to enact, continue, establish, modify, annul and repeal such ordinances, by-laws and regulations as they may deem desirable within said city for the following purposes:

May pass ordinances for what purposes.

First. To prevent vice and immorality, to preserve public peace and good order, to organize, maintain and regulate a police force of the city, to prevent and quell riots, disturbances and disorderly assemblies, to protect the property of the corporation, and of its inhabitants, and of any association, public or private corporation, or congregation therein, and to punish for injuries thereto, or for unlawful interference therewith;

Good order, etc.

Second. To prevent, restrain and suppress all disorderly houses and places, houses of ill fame, assignation houses, and to punish the keepers thereof and dwellers therein and all who resort thereto for purposes of prostitution or to associate with prostitutes;

Disorderly houses.

Third. To prohibit, restrain and prevent persons from gaming for money or other valuable things with cards, dice, wheels of fortune, boxes, machines, or other instruments or

Gaming.

	devices whatsoever in any saloon, bar-room, grocery store, shop or in any other places in said city, to punish the persons keeping the place, instruments, devices, or means for such gaming, and to provide for and compel the destruction of such instruments, machines, or other devices whatever, used or intended to be used for gaming as aforesaid;
Spirituous liquors.	Fourth. To prohibit the selling or giving of any spirituous, fermented, or intoxicating liquors to any drunkard or intemperate person, or any minor or apprentice;
Sabbath.	Fifth. To prevent the violation of the Sabbath, the disturbance of any religious congregation, or any other meeting assembled for any lawful purpose;
Morality.	Sixth. To prohibit and prevent in the streets or elsewhere in said city, any lewd and lascivious behavior, or any indecent exposure of the person, the show, sale or exhibition for sale of any indecent or obscene pictures, drawings, engravings, paintings, books or devices, or any written or printed or other thing containing obscene, scurrilous or scandalous matter, and all indecent or obscene exhibitions and shows of every kind;
Nuisances.	Seventh. To prohibit or prevent any person from bringing, depositing or leaving within the limits of said city, or within one-half mile distant therefrom, or keeping or having on the premises owned or occupied by them in said city, any dead carcass, putrid or unsound meat, fish, hides, skins, or any article, substance or thing that is unwholesome or offensive; or the trying or rendering any unwholesome, putrid or offensive tallow, lard or meats in said city, and to authorize the removal or destruction thereof by some officer of said city; or to compel any person so bringing, depositing, or leaving the same within the limits of said city or within one-half mile therefrom, or having or keeping the same on the premises owned or occupied by them in said city, to remove the same; to compel the owner or occupant of any grocery, tallow-chandler-shop, butcher's stall, soap factory, tannery, stable, privy, hog-pen, sewer or other offensive or unwholesome house or place, to cleanse, remove or abate the same from time to time as often as they may deem necessary for the health, comfort and convenience of the inhabitants of said city and to direct the location of all slaughter houses and markets;
Explosives, bonfires, fireworks.	Eighth. Concerning the buying, carrying, selling, storing and using of dynamite, gunpowder, or other combustible materials, and the exhibition of fireworks, the use of lights in barns, stables and other buildings, and to regulate or prohibit the discharge of firearms within the limits of the city, or the making of bonfires in streets or yards;
Immoderate riding or driving.	Ninth. To prevent and punish horse racing and immoderate riding or driving in any street or alley, and to authorize the stopping and detaining of any person who shall be guilty of immoderate riding or driving in any street or alley in said city;

Tenth. To provide for or compel cleaning the highways, streets, lanes, alleys, public grounds, crosswalks and sidewalks of said city of dirt, filth, snow and other substances; to prohibit and prevent the encumbering thereof with boxes, signs, posts, and all other materials and things whatsoever, and to remove the same therefrom, and to prevent any encroachments upon any street, and to provide for the removal of such encroachments; to prevent the exhibition of signs upon canvass or otherwise in or upon any vehicle standing or traveling upon the streets or public grounds of said city; to control, prescribe and regulate the mode of constructing and suspending awnings, and the exhibition and suspension of signs and articles of merchandise therefrom; to prohibit and prevent all practices, amusements and doings having a tendency to frighten horses and teams, or dangerous to life, person or property; to remove or cause to be removed all walls and other structures that may be liable to fall so as to endanger life and property; to control, regulate and prescribe the manner in which the highways, streets, lanes, alleys, public grounds and spaces within said city shall be used and enjoyed; to regulate, restrict or prohibit the use of bicycles and tricycles upon any and all sidewalks in the city of Flint; to limit the speed at which bicycles, tricycles, or any other vehicle propelled by hand or foot, or both, may be used in the streets;

Relative to streets.

Eleventh. The common council shall have power to provide for and change the location and grade of street crossings of any railroad track and to compel any railroad company or street railway company to raise or lower their railroad track to conform to street grades which may be established by the city from time to time, and to construct street crossings in such manner and with such protection to persons crossing thereat as the council may require and to keep them in repair. Also to determine and designate the routes and grades of any railroad track to be laid in said city and to prevent the changing of any such grade at any street crossing without the consent of the council, and to restrain and regulate the use of locomotives, engines and cars and the shunting and switching thereof on or across any of the streets, lanes or alleys in said city upon any of the railroads within said city. Also to require and to compel railroad companies to keep flagmen and watchmen at all railroad crossings of streets and to give warning of the approach and passage of trains thereat, and to light such crossings during the night and to regulate and prescribe the speed of all locomotives, railroad trains and street railway cars within said city, but such speed shall not be required to be less than five miles per hour, and to impose a fine of not less than five nor more than one hundred dollars upon the company and upon any engineer or conductor violating any ordinance regulating the speed of trains;

Railroad and street crossings.

Routes and grades of tracks.

Flagman at crossings.

Streams and ponds.	Twelfth. The council shall have the power to require and compel any railroad company and any street railway company to make, keep open and in repair such ditches, drains, sewers and culverts along and under or across their railroad tracks as may be necessary to drain their grounds and right of way properly and in such manner as the council shall direct, so that the natural drainage of adjacent property shall not be impeded. If any such railroad company or street railway company shall neglect to perform such regulations according to the direction of the council, the council may cause the work to be done at the expense of such company and the amount of such expense may be collected at a suit of the city against the company in a civil action before any court having jurisdiction of the cause;
Relative to Flint river.	Thirteenth. To preserve the salubrity of the waters of the Flint river and other streams within the limits of said city; to prohibit or regulate bathing therein, and to provide for cleansing the same of driftwood and other obstructions; to fill up all low grounds or lots covered or partially covered with water within the limits of said city, or to drain the same as they may deem expedient;
Shows and exhibitions.	Fourteenth. To prohibit, restrain, license and regulate all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses, or other performances and exhibitions for money;
Vagrants, etc.	Fifteenth. To restrain and punish drunkards, vagrants, street beggars and other disorderly persons;
Labor of prisoners.	Sixteenth. To employ all persons imprisoned for the non-payment of any fine, penalty, forfeiture, or costs, or for any offense under this act or any ordinance of the common council of the city of Flint in a city lockup or in the jail of Genesee county, at work or labor upon the streets of said city, or any public work under the control of said council;
Mock auctions.	Seventeenth. To prohibit and suppress mock auctions and every kind of fraudulent game, device or practice, and to punish all persons managing, using, practicing, or aiding in the management and practice thereof;
Auctioneers.	Eighteenth. To license auctioneers, auctions and sales at auction, to regulate or prohibit the sale of live or domestic animals at auction upon the streets, alleys or public grounds in said city; to regulate or prohibit the sale of goods, wares, property or anything at auction, or by the manner of public biddings, or offers by the buyer or seller after the manner of auction sales or Dutch auctions, and to regulate the fees to be paid by auctioneers, but no license shall be required in cases of sales required by law to be made at auction or public vendue;
Unwholesome food.	Nineteenth. To prohibit and suppress the sale of every kind of unsound or unwholesome meat, poultry, fish, vegetables or other articles of food and provision, and to punish all persons who shall knowingly sell the same or offer or keep the same for sale;

Twentieth. To provide for the inspection and sealing of weights and measures, and to enforce the keeping of proper weights and measures by vendors; Weights and measures.

Twenty-first. To provide for the protection and care of paupers, and to prohibit and prevent all persons from bringing to said city from any other place any pauper or other person likely to become a charge upon said city or on the public, and to punish therefor; Paupers.

Twenty-second. To provide for the burial of strangers and poor deceased persons; Burial of strangers.

Twenty-third. To protect and regulate all public graveyards within the city limits or adjacent thereto belonging to said city, and all grounds procured, or that may be procured for the purpose of public burial, and to compel the keeping and returning of bills of mortality; and may cause the same to be vacated and the remains of persons buried therein to be removed under such restrictions and regulations as they may prescribe: Provided, No burial grounds shall be vacated until the question of vacating the same shall be submitted to and approved by a vote of the electors of said city, at some special election to be held at such time and conducted in such manner as the common council shall prescribe; Cemeteries. Proviso.

Twenty-fourth. To provide for public parks and squares, make, grade, improve and adorn the same; to care for all grounds in said city belonging to or under the control of said city, and to regulate and use the same consistently with the purposes and objects thereof; Parks.

Twenty-fifth. To regulate and establish the line upon which buildings may be erected on any street, lane or alley of said city, and to prevent such buildings being erected nearer the street than said line; Street lines.

Twenty-sixth. To establish, order and regulate the markets, and to prohibit forestalling the same, to regulate the vending of wood, meats, vegetables, fruits, fish and provisions of all kinds, and prescribe the time and place for selling the same; Public markets.

Twenty-seventh. To establish or regulate one or more pounds, and to restrain and regulate the running at large of horses, cattle, swine or other animals, geese, poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the cost of keeping and impounding; Pounds.

Twenty-eighth. To prevent or regulate the running at large of dogs; to impose taxes on the owner of dogs, and to prevent dog fights in the streets; Dogs.

Twenty-ninth. To regulate the ringing of bells, and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises in the streets; Bells; street noises.

Thirtieth. Concerning the lighting of the streets and alleys, and the protection and safety of public lamps; Street lighting.

Thirty-first. To establish, regulate and preserve public reservoirs, wells and pumps; to provide an adequate supply Water.

	of water for fire purposes, for lawn and street sprinkling, and also of water fit for domestic use, and to prevent the waste of water;
To license cartmen, etc.	Thirty-second. To adopt rules and regulations for cartmen and their carts, hackney carriages and their drivers, omnibuses and their drivers, scavengers, porters and chimney sweeps, and their fees and compensation, and the fees to be paid by them into the city treasury for license;
Soliciting passengers.	Thirty-third. To prevent runners, stage drivers, and others from soliciting passengers or others to travel or ride in any stage, omnibus or railroad, or to go to any hotel or other-where;
Peddlers and pawnbrokers.	Thirty-fourth. To license, regulate and restrain hawking and peddling in the streets, to license and regulate pawnbrokers and auctioneers;
Carriage stands, rates of fare.	Thirty-fifth. To prescribe and designate the stands for carriages of all kinds which carry persons for hire, and carts and carters, and to prescribe the rates of fare and charges, and the stand or stands for wood, hay and produce exposed for sale in said city, and to regulate the sale thereof;
Wood, hay, etc.	
Bonds and sureties.	Thirty-sixth. To prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same in cases not otherwise provided for by law;
To license saloons, etc.	Thirty-seventh. To restrain, license and regulate saloons and other places where intoxicating, or spirituous liquors or malt, brewed, fermented, spirituous, or vinous liquors are sold or to be sold, and to regulate and prescribe the location thereof; to forbid and prevent the vending or other disposition of any intoxicating liquors in violation of the laws of the State;
Powers and duties of officers.	Thirty-eighth. To prescribe the powers and duties of all the officers of said city, except as herein otherwise provided, and their compensation, and the fines and penalties for their delinquencies;
To provide and maintain jail.	Thirty-ninth. The common council shall have power to provide for, or to construct and maintain a city jail, or lockup, and to provide by ordinance or resolution for the control and management of the same and the confinement of persons therein;
To have control over streets, etc.	Fortieth. The common council is hereby invested with full power and control over any and all streets, lanes, alleys, and public places within the city, and said council may provide for the repair and improvement of the same in such manner and with such material as it shall determine to be for the best interest of said city, and all taxes and assessments for highway and street purposes shall be expended thereon as the common council shall order and direct. The council shall also have power to divide the city into such number of districts and may appoint such number of suitable persons as the council may deem wise or expedient for the purpose of
To divide city into districts.	

properly looking after the needs of said streets, lanes, alleys and public places, and to perform the necessary and required work thereon as the council shall from time to time direct and order, and to provide adequate and careful inspection of said streets, lanes, alleys and public places and all sidewalks and cross-walks therein and to keep the same and all parts thereof in repair;

Forty-first. And further, they shall have authority to enact all ordinances, and to make all such regulations consistent with the laws and constitution of this State, as they shall deem necessary for the safety, order and good government of the city, and the general welfare of the inhabitants thereof; but no exclusive rights, privileges or permits shall be granted by the council to any person or persons, or to any corporation for any purpose whatever. For the purpose of carrying into effect the powers conferred by this section the common council shall have power to prescribe in any by-law or ordinance made by them that the person offending against the same shall forfeit and pay such fine as they shall deem proper, not exceeding one hundred dollars, or be imprisoned in the county jail or city lockup for a term not exceeding three months, or by both such fine and imprisonment in the discretion of the justice or court that shall try the offender: Provided, The right of trial by jury, when demanded, shall in all cases be preserved, and also the right of appeal according to the general laws of this State.

May enact ordinances for good of city.

Exclusive rights not to be granted.

Limit of penalty imposed.

Right of trial by jury preserved.

SEC. 11. The style of all ordinances shall be, "the city of Flint ordains." All ordinances shall require for their passage the concurrence of a majority of all the aldermen elect, and shall be recorded in the proceedings of the council as passed. The time when any ordinance shall take effect shall be prescribed therein; such time when the ordinance imposes a penalty shall not be less than one week from the date of its publication as herein provided.

Style of ordinances.

When to take effect.

SEC. 12. Whenever by the provisions of this act the common council shall be authorized to pass ordinances for any purpose, it shall have power to determine by ordinance the punishment of all persons convicted of any violation of the same by imprisonment at hard labor or otherwise, and they may prescribe fines, imprisonments, penalties and forfeitures for the violation of the same, not exceeding one hundred dollars, or imprisonment not exceeding ninety days, or both in the discretion of the court. Such imprisonment may be in the common jail of Genesee county, in the city lockup, or in the Detroit House of Correction. The fine, penalty or imprisonment for the violation of any ordinance shall be prescribed therein, and during such imprisonment all such offenders may be kept at hard labor. And they may also be kept at hard labor during all the time they are imprisoned for the violation of such ordinance.

Powers of council as to penalties.

Prisoners may be required to labor.

Mayor to
approve
ordinances.

SEC. 13. Within five days next after the passage of any ordinance the clerk of the common council shall present the same to the mayor or other person performing the duties of the mayor, for his approval. No ordinance shall be of any force without the written approval of the mayor or other person performing for the time being the duties of his office, unless he omit to return it to the clerk of the common council with his objections thereto, within ten days after its presentation to him, in which case it shall be deemed regularly enacted. If, after the return of the ordinance with the objections thereto, as aforesaid, the same shall be passed or re-enacted by a vote of two-thirds of all the aldermen elect of the common council, the ordinance shall be deemed regularly enacted, and the time of its re-enactment shall be deemed the time of its passage.

When veto
of mayor is
filed.

Clerk to
certify
ordinances.

SEC. 14. At the time of presenting any ordinance to the mayor for his approval, the clerk of the common council shall certify thereon and also in the journal or record of the proceedings of the council, the time when the same was presented, and shall also certify thereon, and in such journal or record, the time of the return of such ordinance, whether approved or with objections, and shall at the next meeting of the common council report any ordinance returned with objections thereto.

Record of
ordinances.

SEC. 15. All ordinances when approved by the mayor, or when regularly enacted, shall be immediately recorded and indexed by the clerk of the common council in a book to be called "the record of ordinances" and it shall be the duty of the mayor and clerk to authenticate the same by their official signatures upon such record.

Ordinance to
be published.

SEC. 16. Within one week after the approval or final passage of any ordinance, the same shall be published in the official paper of the city, and the clerk shall, immediately after such publication, enter on the record of ordinances in a blank space to be left for such purpose, under the recorded ordinance, a certificate stating on what date such publication was made, and sign the same officially, and such certificate shall be prima facie evidence that legal publication of such ordinance has been made.

Evidence.

Court to take
cognizance of
passage of
ordinances.

SEC. 17. In all courts having authority to hear, try or determine any matter or cause arising under the ordinances of the city, and in all proceedings in the city relating to or arising under the ordinances or any ordinance thereof, judicial notice shall be taken of the enactment, existence, provisions and continuing force of the ordinances of the city, and whenever it shall be necessary to prove any of the laws, regulations or ordinances of said city or any resolution adopted by the common council, the same may be read in all courts of justice and in all other proceedings: First, from a record thereof kept by the city clerk in the record of ordinances: Second, from a copy thereof, or of such record thereof, certified

by the city clerk under the seal of the city: Third, from any volume of ordinances purporting to have been written or printed by the authority of the council. All ordinances in force at the time of the passage of this act shall continue in force, except such parts thereof as may be in conflict with this act, until modified or repealed by the common council, and may be proved as provided by the former charter of the city of Flint.

Existing
ordinances
continue in
force.

CHAPTER XV.

ELECTROLYSIS.

SECTION 1. It shall be the duty of all persons, companies and corporations owning, using or operating any telegraph, telephone, electric light or street railroad system, or any other business or occupation, using electricity, to so construct, manage and maintain their plant, works and all the connections thereof as not to injure any waterpipe, or any other structure or property of the city of Flint, or any other person, company or individual by means of such electricity causing electrolysis.

Duty of
companies.

SEC. 2. Said city of Flint, or any other person, company or corporation whose property has been injured by any such electrical current, or electrolysis, shall have a right of action against the person, company or corporation so causing or permitting such injury for all damage, costs and expenses caused thereby.

Power of
persons, etc.,
injured.

CHAPTER XVI.

ENFORCEMENT OF ORDINANCES.

SECTION 1. Whenever any person shall be charged with having violated any of the by-laws or ordinances of the city, by which the offender is liable to imprisonment, any justice of the peace residing in said city, to whom complaint shall be made in writing and on oath, shall issue a warrant directed "to the chief of police or any policeman of the city of Flint," commanding him in the name of the people of the State of Michigan forthwith to bring the body of such person to be dealt with according to said laws or ordinances of said city, and the chief of police or policeman to whom such warrant shall be delivered for service, is hereby authorized and required to execute the same in any part of the State where such offender may be found, under the penalties which are by law incurred by sheriffs and other officers for neglecting or refusing to execute other criminal process, and the proceedings relating to the arrest and custody of the offender pending trial, the pleadings and all proceedings and the rendition of judgment.

Warrants,
style of.

Who to serve.

Proceedings
on trial.

	ment and the execution thereof shall, except as otherwise provided in this act, be governed by and conform as nearly as may be to the provisions of law relating to proceedings in criminal causes cognizable by a justice of the peace under the general laws of this State, and all such prosecutions shall be in the name of the people of the State of Michigan.
Expenses how paid.	SEC. 2. The expense of apprehending, examining, trying and committing offenders against any law of this State in the said city, and of their confinement, shall be audited and allowed and paid by the supervisors of the county of Genesee. The expenses of the apprehension and punishment of persons violating the ordinances of the city excepting such part as shall be paid by costs collected, shall be defrayed by the city, and shall be governed in amount by the laws of the State in relation to fees of justices of the peace, sheriffs, constables and witnesses in civil and criminal cases. But all costs collected, as well as all fines and penalties, shall by every officer collecting or receiving them be turned over and paid to the city treasurer.
Costs, etc., to be turned into treasury.	
City to have use of county jail.	SEC. 3. The corporation of the city of Flint shall be allowed the use of the common jail of the county of Genesee for the imprisonment of all persons liable to imprisonment under the ordinances of said city, and all persons committed to jail by any justice of the peace for a violation of any such ordinance shall be in the custody of the sheriff, who shall safely keep the person so committed until lawfully discharged as in other cases. Whenever by the terms of any ordinance of said city it is provided that any person convicted of a violation thereof shall be imprisoned, said person may be confined in the county jail of the county of Genesee, a city lockup, if the city has one, or in the House of Correction in the city of Detroit in the discretion of the court. But the council may in any ordinance designate the city lockup as the place of confinement of persons offending against the provisions of such ordinance, and the sentence of such offender shall be so given. It shall not be competent to use said county jail as a place of detention of any person charged with a violation of a city ordinance, when the city shall have a city lockup, unless upon a written commitment of a justice before whom the accused shall have been duly arraigned.
Council to designate place of imprisonment.	
When jail not to be used.	
Actions, how commenced.	SEC. 4. All actions against the city of Flint shall be commenced by summons, which shall be served on the city clerk by giving him a copy of such summons with the name of the officer serving the same endorsed thereon, or, in case of the absence of the city clerk, then by leaving such a copy with the mayor, endorsed as aforesaid: Provided, That no suit shall be maintained against the city until the claim whereon the same is founded shall have been presented to the common council, duly verified, at a regular meeting of the same for allowance, and until one regular meeting of the common council shall have intervened: And provided further, That
Proviso.	

in all cases of personal injuries, notice shall be given to the city clerk in writing, duly verified, by the party injured, within sixty days from the date of receiving such injuries, that such person intends to hold said city liable, and stating the time when, and the place where such injury took place, and the extent of such injury so far as known. Which notice shall be signed by such party, or his or her attorney, and the giving of such notice shall not exempt the person injured from filing or presenting a verified claim for such injuries in the manner in this act provided for, for allowance by the council; and failure to give such verified notice shall be a sufficient defense to any action brought on account of such injuries.

SEC. 5. In all suits in which the city of Flint shall be a party, or shall be interested, no inhabitant of said city shall be deemed incompetent as an officer, witness, or juror, on account of his interest in the event of such suit or action: Citizens not incompetent as jurors. Provided, Such interest be only such as he has in common with the other inhabitants of said city: And provided further, That it shall not be necessary to pay or tender any fees to any witness subpoenaed on the part of the city, but such witness shall be bound to attend and shall be liable to attachment the same as if fees had been tendered or duly paid to him. The fees of witnesses shall be allowed by the common council on the certificate of the justice or court before whom they appeared, or city attorney. Proviso. Witness fees.

SEC. 6. In all trials before any justice of the peace of any person charged with a violation of any ordinance of the said city, either party shall be entitled to a jury of six persons; and all the proceedings for the summoning of such jury and in the trial of the cause shall be in conformity, as near as may be, with the mode of proceeding in similar cases before justices of the peace, as provided for by the general statutes; and in all cases civil and criminal, the right of appeal, as from the justices' courts, to the circuit court of Genesee county shall be allowed, and the person appealing shall enter into a recognizance conditioned to prosecute the appeal in the circuit court, and abide the order of the court therein, or such other recognizance as is or may be required by law in appeals from justices' courts in similar cases: Trial by jury, parties entitled to. Provided, If any judgment in any action shall be rendered against the city by any justice of the peace such judgment may be removed by appeal to the circuit court in the same manner and with the same effect as though the city were a natural person, except that no bond or recognizance to the adverse party shall be necessary to be executed on behalf of the said city. Appeal. Proviso.

SEC. 7. All fines, forfeitures and penalties imposed for the violation of any ordinance of said city, may, at the election of the city attorney, be sued for, and in the name of the said corporation before any court of competent jurisdiction, in an Fines, etc., how collected.

action of assumpsit for money had and received, and in declaring in such action it shall be deemed sufficient to refer to the ordinance claimed to have been violated, by its proper title and date of its passage. Whenever any such ordinance shall impose a fine without imprisonment, or a fine or imprisonment, or both a fine and imprisonment, action may be brought for the enforcement thereof under this section; but if brought under this section the city shall be deemed to have waived all imprisonment of the defendant. The form of the action, writ, time of return and manner of service thereof, the pleadings and all proceedings in the cause, including final writ of execution and discharge thereof, shall be and conform as near as may be to the action of assumpsit now in common use for the collection of debts and the enforcement of contracts between party and party.

When imprisonment deemed waived.

Fines, etc., to be paid into city treasury.

Penalty for failure by justice.

SEC. 8. All fines, costs, penalties, or forfeitures recovered before any justice of the peace for a violation of the ordinances of said city, shall when collected, be paid into the city treasury; and each of said justices shall report on oath to the common council, on the first Mondays of January, April, July and October, during the term for which he shall perform the duties of said justice, the name of every person against whom judgment shall have been rendered for such fines, penalty or forfeiture, and all moneys so received, or which may be in his hands collected on such fines, penalty or forfeiture, shall be paid into the city treasury on the first Monday of the months above named, during the time said justices shall exercise the duties of said office; and for any omission or neglect in this particular, said justices shall incur a penalty of fifty dollars and the costs of prosecution (not exceeding one hundred dollars in all) and in default of payment thereof he shall be imprisoned not exceeding fifty days.

CHAPTER XVII.

POLICE.

Duties.

SECTION 1. It shall be the duty of the police and night watchmen and officers of the force, under the direction of the mayor and chief of police, and in conformity with the ordinances of the city, to suppress all riots, disturbances and breaches of the peace, to apprehend any and all persons in the act of committing any offense against the laws of the State, or any ordinance of the city, and to take the offender forthwith before the proper court or magistrate to be dealt with for the offense; to make complaint to the proper officers and magistrates of any person believed to be guilty of a violation of the ordinances of the city or the penal laws of the State, and at all times diligently and faithfully to enforce all such laws, ordinances and regulations for the preservation of good

order and the public welfare as the council may ordain, and to serve all process issued under any city ordinance and directed to them for service, and for such purposes the chief of police and every policeman and nightwatchman shall have all the powers of constables and may arrest upon view and without process any person in the act of violating any ordinance of the city, or in the commission of any offense against the laws of the State.

CHAPTER XVIII.

CEMETERIES.

SECTION 1. Said city may acquire, hold and own such cemetery or public burial place or places, either within or without the limits of the corporation, as in the opinion of the common council be necessary for the public welfare and suitable for the convenience of the inhabitants. The common council may prohibit the interment of the dead within the city or may limit such interments therein to such cemetery or burial places as they may prescribe and may cause any bodies buried within the city in violation of any rule or ordinance made in respect to such burials, or when public policy shall demand, to be taken up and buried elsewhere.

City may own.

May prohibit burials in city.

SEC. 2. The city of Flint is hereby authorized to receive by bequest or otherwise money given by those who desire to provide for the care of burial lots in said city specifying the lot or lots to be cared for. Such money shall be always kept by said city and interest paid annually thereon to the treasurer of the cemetery in which such lots are located at the rate of three per cent per annum, and the interest thus paid shall be devoted to the care and preservation of the designated lots and the monuments thereon.

May receive money for care of burial lots.

SEC. 3. The common council shall pass and enforce all ordinances necessary to carry into effect the provisions herein contained and to control and regulate such cemetery or burial place or improvement thereof and to protect the same from injury, and to punish violations of any lawful orders and regulations.

To pass ordinances for care of cemetery.

SEC. 4. The common council shall have power also to pass all ordinances deemed necessary for the preservation and protection of any cemetery or burial place within the city belonging to or under the control of any church, religious society, corporation, company or association, and for the protection and preservation of the tombs, monuments and improvements therein and the appurtenances thereof.

Idem.

CHAPTER XIX.

FINANCE AND TAXATION.

Of the assess-
ment rolls.

SECTION 1. All taxes, both general and special, unless herein otherwise provided, shall be extended on the several assessment rolls by the city clerk and all warrants for the collection thereof shall be signed by the mayor and city clerk and the city clerk shall when directed by the council extend on assessment rolls a sum sufficient to pay any judgment or judgments then existing against said city, and any sum that has been expended by said council in paying or compromising said judgments, and any sum or sums of money paid by said council to settle or compromise claims against said city for personal injuries or injuries to property for which the city would be liable in the judgment of the council under the statutes of this State: Provided, The council may extend the time for making out and delivering the June rolls to the city treasurer specified in section six of this chapter of the charter from the fourth Monday in June to the third Monday in July in each year.

Proviso.

General
expenses,
how raised.

Limit of
assessment.

SEC. 2. For the purpose of defraying the general expenses and liabilities of said city, the common council may cause to be raised annually by tax upon the real and personal property within said city, such sum as they may deem necessary, not exceeding five-tenths of one per cent of the valuation of such real and personal property within the limits of said city, according to the valuation thereof as shall appear on the assessment rolls for the year as equalized by the board of equalization and review, which sum, including the bridge tax, so called, the common council shall vote to raise on the first Monday of June in each year or as soon thereafter as practicable. Said council may also, by vote of not less than three-fourths of all the aldermen elect, cause to be raised such sum, not exceeding three-tenths of one per cent of the valuation of said real and personal property within the limits of said city, as they may deem advisable, as a general highway and street improvement fund to be used for paving street crossings, and for grading, macadamizing, graveling or otherwise improving such portions of the streets and thoroughfares of the city as they may deem advisable and for the construction of cross-walks and for general highway and street purposes; which highway and street taxes shall be levied, assessed and collected in the same manner as other taxes herein provided for, and shall be passed to the credit of the general highway and street improvement fund, to be expended as the council shall direct for said street and highway purposes and not otherwise: Provided, That said council may, in its discretion, on the first Monday of June in each year, or as soon thereafter as practicable, in the same manner, vote to raise one-third of said general highway tax by the

Special high-
way fund.

spring or June levy, and when so ordered the same shall be assessed, levied and collected upon the spring or June tax rolls of said city; and in like manner and by like vote, said council may, on the first Monday in November or as soon thereafter as practicable, raise not to exceed two-thirds of said general highway tax and order the same to be assessed, levied and collected upon the fall or December tax rolls of said city. All bridges within the limits of said city shall be built and kept in repair at the expense of said city, unless otherwise provided by ordinance. The common council of said city is hereby authorized to cause to be raised in addition to all other taxes a sufficient amount of taxes annually for that purpose, and it shall be known as the "bridge tax," and shall be used for no other purpose. Bridge tax.

SEC. 3. Whenever the common council shall deem it necessary to raise a greater sum in any one year, exclusive of school taxes, than the amount specified and limited in the preceding section, they may call a meeting of the taxpaying electors of said city, by notice published in all the newspapers published in said city, once in each week for two weeks in succession, which notice shall state the time and place of said meeting, and the purposes for which the money to be raised is to be expended; and the electors assembled at such meeting, in pursuance of said notice, shall, by "ballot in such manner as the common council may by ordinance or by law prescribe," determine what amount of money shall be raised for each object specified in the notice: Larger taxes may be raised, how. Provided, That the tax also voted by the electors shall not in any year exceed one per cent upon the valuation of real and personal property taxable within said city: And provided also, That not more than two such meetings shall be called in any year; and at all such meetings the mayor, or in his absence, any member of the common council present, shall preside: Tax not to exceed one per cent of valuation. And provided further, That the expense of publication of each notice in each newspaper shall not exceed forty cents per folio for the first insertion and twenty cents for the second insertion, and it need not be published except in such newspapers of said city as will publish it for the prices above specified. Further proviso.

SEC. 4. Whenever the common council shall be authorized by a vote of the taxpaying electors of said city to raise a tax for any specific purpose, the common council may cause an assessment roll to be made, assessing such tax upon all the taxable property of said city, according to its cash value, placing the tax in a column opposite the description and valuation of the property, which roll shall be filed and kept by the city clerk in his office, who shall make and deliver to the treasurer a copy thereof, together with a warrant signed by the mayor and city clerk commanding the treasurer to collect the same and make return of his proceedings by virtue thereof, within the time in said warrant to be specified, not less than thirty days from the date of the warrant, and the Procedure when additional tax voted.

Treasurer to collect tax.	city clerk shall immediately charge the treasurer with the amount thereof. It shall be the duty of the treasurer to collect said taxes within the time specified in said warrant, or within such further time as the common council may by resolution direct: Provided, That said common council may, if they shall deem it advisable, and if so directed by a majority of the taxpaying electors at such meeting, pledge the credit of the city by bond or otherwise to the amount so voted, for a time not exceeding ten years, in which case the common council may cause to be levied and collected such amount, or any part thereof, with the other taxes of said city, upon the general tax rolls, as the same may be necessary, from time to time, to pay the amount due, together with the interest thereon.
Council may bond city if authorized by electors.	
Supervisors to make assessment.	<p>SEC. 5. The supervisors of said city shall in each and every year, make and complete the assessment of all the real and personal property within their respective wards in the same manner and within the same time as required by law for the assessment of property in the several townships of this State, and, in so doing, shall conform to the provisions of law governing the actions of supervisors of the several townships of this State, performing like service, except as otherwise provided in this act; and all State and county taxes and also that part of the school tax necessary to be raised to pay and discharge the bonded debt of union school district of the city of Flint, including also the mill tax, and such special taxes as may be voted by the school district and the annual highway taxes aforesaid, shall be levied and collected as near as may be in the same manner as is provided by law for the assessments and collection of taxes by township officers, unless otherwise provided in this act.</p>
State, county and school tax.	
When tax roll to be delivered to treasurer.	<p>SEC. 6. The city clerk of said city shall, within the time within which supervisors of townships are required to perform like acts, deliver to the treasurer of said city the several tax rolls, with the State and county taxes, and that part of the school tax necessary to be raised to pay and discharge the bonded debt of union school district of the city of Flint, including the one mill tax, the special school district tax, and also all general highway taxes extended thereon, with the warrants in the usual form of a supervisor's warrant to a township treasurer thereto attached directed to the treasurer of the city of Flint; and any person who shall on or before the tenth day of January next ensuing pay his or her tax to the treasurer shall pay one per cent thereon in addition thereto for collection. After the said tenth day of January the said treasurer shall proceed to collect the unpaid taxes on said rolls with four per cent in addition thereto for collection and make return thereof in like manner as is required by township treasurers and with like effect; and for this purpose the treasurer of said city is hereby invested with and shall possess all the powers and perform all the duties of</p>
Fee for collection.	

township treasurers in collecting all taxes on said rolls remaining unpaid after the said tenth day of January, and also in making returns of unpaid taxes. The city clerk of said city shall, on or before the fourth Monday of June in each year, make and deliver to the treasurer of said city the several tax rolls with the taxes levied and raised for the purpose of defraying the general expenses and liabilities of the city, including the "bridge tax" and highway tax that may have been voted, and also the school tax, excepting that part raised for the purpose of paying the bonded debt of the school district and the one mill tax, and any special tax that may be voted by the school district thereon extended, with a warrant as near as may be in the form prescribed in this section, thereto attached, made returnable in forty days from the date thereof, directed to the treasurer of the city of Flint; and any person who shall, on or before the expiration of said forty days, pay his or her tax to the treasurer, shall pay one per cent thereon in addition thereto for collection; and if any person named in any tax or assessment roll provided for in this section, shall neglect or refuse to pay his tax, the treasurer shall levy the same by distress and sale of the goods and chattels of such person. If, on account of any irregularities or informalities of said rolls, or any of them, or for any other reason, any of the taxes mentioned in the tax rolls annexed to his warrant shall remain unpaid and the said treasurer shall be unable to collect the same for any reason, he shall make out his statement in detail of the taxes so remaining unpaid and due with the name of the persons delinquent, with a full and perfect description of the premises from his tax roll, upon which the taxes shall not have been paid, and the amount and kinds unpaid, and he shall submit the same to the city clerk. The city clerk shall immediately compare such statement with the tax rolls in the hands of such city treasurer, and, if he finds it to be correct, he shall add to it a certificate showing that he has examined and compared such statement with the tax roll in the hands of such treasurer, and found it correct; and shall file such statement so certified in his office. Upon making an affidavit to be annexed to such statement, before the city clerk, or any officer authorized to administer oaths, that the sums mentioned in such statement remained unpaid, that he has not, upon diligent inquiry, been able to discover any goods and chattels belonging to the person charged with or liable to pay such sums, whereon he could levy the same, the city treasurer shall be credited by the city clerk with the amount thereof; but no compensation shall be allowed him on the same; and the city treasurer shall thereupon return said tax roll and warrant to the city clerk with his affidavit annexed stating the amount of the several taxes collected on said roll, and shall pay to the treasurer of union school district of the city of Flint so much of said school taxes as he shall have collected, and shall credit to

City tax roll
when de-
livered to
treasurer.

To contain
what taxes.

Of unpaid
taxes.

Clerk to cer-
tify and file
statement.

Treasurer to
be credited
with unpaid
tax.

Unpaid taxes
to be assessed
on general
roll.

the several city funds, on the books of the said city treasurer, the amount of taxes collected for each fund respectively. It shall also be the duty of the city clerk to assess such unpaid taxes on such premises, or against such persons, in red ink, and in a separate line or column, or in some other manner so as to clearly distinguish the same in the next general roll for the collection of State and county taxes with a penalty of five per cent in addition thereto, and such taxes shall then be collected and returned, and the premises may be sold for the non-payment thereof as provided by the general law for the non-payment of delinquent taxes.

Council to
provide assess-
ments for
sidewalks,
etc.

SEC. 7. The common council shall have the power to provide by ordinance or resolution that any or all special assessments for the construction of pavements and sidewalks within said city may, at the election of any or all of the persons assessed therefor (and which election shall be at a time certain to be fixed by the council) be divided into equal annual installments bearing not to exceed five per cent annual interest, and which installments shall not exceed five in number.

To issue
bonds.

SEC. 8. In case the payment of any special assessments shall be divided into installments as provided in the preceding section, the common council shall have power to authorize and direct the mayor and city clerk to issue and negotiate, at not less than par, and in behalf of said city, bonds, bearing not to exceed five per cent annual interest for the aggregate amount of any such paving or sidewalk taxes or assessments, the time for the payment of which has been extended as provided in the preceding section; the payment of which bonds shall in all cases correspond in time and amount with the payment of said paving and sidewalk assessments. Said bonds shall be made payable at the office of the city treasurer. The proceeds of the sale of said bonds shall be deposited with the city treasurer and be by him disbursed on the order of the council in payment of the cost and expense of any pavement or sidewalk on account of which they have been issued, and for no other purpose; and the proceeds of such extended special assessments, when collected, shall be used for the payment of said bonds, and for no other purpose.

Payable at
office of city
treasurer.

Bonds to be
numbered.

Clerk to keep
account of.

SEC. 9. Said bonds shall be denominated "paving" or "sidewalk" bonds, as the case may be, and shall be numbered in the order of their issuance. The clerk shall keep an accurate list of said bonds and of the number, date and amount of each, its rate of interest, when and where the same is payable and the person to whom it is issued.

CHAPTER XX.

SPECIAL ASSESSMENTS.

SECTION 1. The common council shall have power to cause the expense of making, paving, grading and opening of streets, lanes, alleys, sidewalks, parks, public grounds, sewers and other local improvements to be assessed in whole or in part against the owners or occupants of property to be especially benefited thereby or by general tax in whole or in part, as they may deem just and proper, and the said common council in addition to the manner provided by this charter shall also have full power to provide by ordinance for the construction and repair of side and crosswalks in said city and for the levy and collection of the taxes to defray the expenses of the same, and for the sale and return of the lands delinquent for such taxes in any manner that shall be deemed reasonable and just: *For local improvement, how assessed.* Provided, That the proportionate part and expense of grading and paving street crossings and cross-walks shall be borne by the general highway and street improvement fund. *Proviso.*

SEC. 2. Whenever the common council shall determine that the whole or any part of the expenses of any public improvement shall be defrayed by an assessment against the owners or occupants of houses or lands to be specially benefited thereby, they shall ascertain as they may think proper the estimated or actual expense of such improvement made or to be made, and shall declare by resolution, to be entered in their records, whether the whole, or what portion thereof, shall be assessed against such owners or occupants, specifying the sum to be assessed and the portion of the city which they deem will be specially benefited by such improvement; and the costs and expenses of making the plans, estimates and assessments incidental thereto shall be included in the estimated expenses of such improvement. *Council to declare what portion to be assessed to owners.*

SEC. 3. The common council or committee thereof appointed for that purpose, and not interested in any of the property so benefited, when the amount to be assessed, as a special tax, is five hundred dollars or less, shall make an assessment upon all the owners and occupants of lands and houses within the portion or part of the city so designated, of the amount of the expense aforesaid in proportion, as near as may be, to the advantage which each shall be deemed to acquire by such improvements, and shall make out an assessment roll in which shall be entered the names of the persons assessed, the value of the property for which they are assessed and the amount assessed to each of them respectively; and in case such lots or parts of lots shall belong to a non-resident or the owner or owners are unknown, the same shall be entered accordingly with the description of such lots or premises as is required by law in assessment rolls made by *When council to make assessment roll.* *To be in proportion to benefits.* *In case of non-resident.*

When tax is in excess of \$500.	<p>supervisors of townships, with the value thereof, and the amount assessed thereon, which assessment roll shall be returned and filed with the city clerk of said city; but whenever the amount to be assessed as a special tax shall exceed the sum of five hundred dollars, the common council shall thereupon make an order stating the improvements so made or proposed to be made, the amount of the expense thereof to be specially assessed against the owners or occupants of property to be specially benefited thereby, the portion of the city on which the same is to be assessed by definite boundaries, and designating three good and competent freeholders, not members of the council, not interested in any of the property so to be benefited, and against whom there shall be no valid objection, as commissioners to make an assessment upon all the owners or occupants of property within the portion of the city so designated, of the amount of said expense in proportion, as near as may be, to the benefit which will accrue to each in respect to such property by the making of such improvement, which order shall be certified by the city clerk, and delivered to one of said commissioners. Said commissioners shall meet at such time as they shall agree upon, and shall severally take and subscribe an oath before some officer authorized to administer oaths that they are not in any manner interested in any of the property embraced in said order, and that they will faithfully and impartially discharge the duties imposed upon them by said order; which oath shall forthwith be delivered to and filed by the city clerk of said city. The commissioners shall thereupon proceed to make an assessment according to said order and shall make out an assessment roll, in which shall be entered the names of the persons assessed, the description and value of the property assessed to each person, and the amount of taxes assessed thereon, which roll shall be subscribed by them and delivered to the city clerk, to be held by him, subject to inspection by all persons interested: Provided however, That said council may in their discretion cause said special assessment to be made by three commissioners as aforesaid when the amount to be assessed shall be less than five hundred dollars.</p>
Who to make assessments.	
Oath of commissioners.	
Roll subject to inspection.	
Proviso.	
Notice of review of roll to be published.	<p>SEC. 4. Upon such return being made and filed, the city clerk of said city shall cause notice thereof to be published in the official paper of said city once in each week for two weeks in succession, stating the names of the persons assessed, the purpose for which such assessment is made, and in cases of non-residents and owners whose names are unknown a brief description of the premises taxed shall be inserted, and that at a certain time and place to be designated in said notice, the common council or such commissioners, in case the roll is made by commissioners, will meet and review said assessment roll on the request of any person conceiving himself aggrieved.</p>

SEC. 5. The common council shall, when such roll is made by them, as herein provided, at the time and place in such notice specified, or at some session thereafter, take said assessment into consideration, and may rectify and amend said assessment roll in whole or in part, and may set the same aside and direct a new assessment, or they may ratify and confirm said assessment without any corrections, or with such corrections therein as they may think proper; and when such assessment roll shall be completed, ratified and confirmed by the council, the city clerk shall indorse therein or annex thereto his certificate that such assessment roll was ratified and confirmed by the common council, and the date of such confirmation. When said roll is made by commissioners, as herein provided, it shall be the duty of such commissioners to meet at the time and place in said notice specified, and then, or at some time thereafter to which they may adjourn, the said assessment roll shall be re-delivered to said commissioners, who shall take the same into consideration, and hear all objections and suggestions of any person interested, and such proofs as may be offered, and may alter and amend in whole or in part, and may ratify or confirm such assessment roll with or without alteration or amendment, or may make and subscribe a new roll and ratify and confirm the same, as in their opinion justice and equity may require. And when the assessment roll shall be completed and ratified and confirmed by the commissioners, they shall indorse therein a certificate thereof to be subscribed by them, and shall deliver said roll with the order under which they acted annexed thereto to the city clerk, who shall file and keep the same in his office.

Common council to act as board of review, when.

When roll is made by commissioners.

SEC. 6. Every corrected assessment so certified as aforesaid shall be final and conclusive. All special assessments shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels of land assessed, and shall be charged against the person to whom assessed until paid. Upon the confirmation of any special assessment, the amount thereof may be divided into not more than five installments, one of which shall be collected each year at such times as the common council shall determine, with annual interest at a rate not exceeding six per cent per annum, but the whole assessment charged to any person may, after confirmation, be paid to the city treasurer, at any time in full, with a proportionate interest thereon.

Special assessments to constitute lien.

May be divided into annual installments.

SEC. 7. If any special assessment shall be divided into installments, a special assessment roll shall be made for each installment as the same shall become due, with the accrued interest upon all unpaid installments, including and assessed therein. Such special rolls may be made and confirmed without notice to the persons assessed.

Roll to be made for each installment.

When special
assessment
proves insuf-
ficient.

SEC. 8. Should any special assessment prove insufficient to pay for the improvement or work for which it was levied, and the expense incident thereto, the council may, within the limitations prescribed for such assessments, make an additional pro rata assessment to supply the deficiency, and in case a larger amount shall have been collected than was necessary, the excess shall be refunded ratably to those by whom it was paid.

When in
excess.

When assess-
ment is found
illegal.

SEC. 9. Whenever any special assessment shall, in the opinion of the council, be invalid by reason of irregularity or informality in the proceedings, or, if any court of competent jurisdiction shall adjudge such assessment to be illegal, the council shall, whether the improvement has been made or not, or whether any part of the assessments have been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on such re-assessment, and for the collection thereof, shall be conducted in the same manner as provided for the original assessment, and whenever any sum or any part thereof, levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the re-assessment of said premises, and the re-assessment shall to that extent be deemed satisfied. No judgment or decree, nor any act of the council vacating a special assessment shall destroy or impair the lien of the city upon the premises assessed for such amount of the assessment as may be equitably charged against the same, or, as by regular mode of proceeding, might have been lawfully assessed thereon.

Judgment,
etc., not to
impair lien.

May be col-
lected on
general or
city tax roll.

SEC. 10. Whenever any special assessment shall be confirmed and payable, the council may direct the city clerk or other officer whose duty it may be to extend the taxes on the city or other general tax roll, to levy the sums therein mentioned upon the respective lots and premises to which they are specially assessed, and against the person chargeable therewith, as a tax in the city tax roll, or other general tax roll, in which such premises are described, next thereafter to be made, in a column for special assessments, and thereupon the amount so levied in said tax roll shall be collected and enforced with the other taxes in such tax roll, and in the same manner, and shall continue to be a lien upon the premises assessed, until paid, and when collected shall be paid into the city treasury.

May be col-
lected on
special roll.

SEC. 11. When any special assessment shall be confirmed and payable as hereinbefore provided, the council, instead of requiring the assessments to be levied upon the city or other general tax roll, as provided in the preceding section, may direct the assessment so made in the special assessment roll, to be collected directly therefrom, and thereupon the mayor and city clerk shall attach their warrant to a certified copy of said assessment roll, therein commanding the city

treasurer to collect from each of the persons assessed in said roll, the amount of money assessed to and set opposite his name therein; and in case any person named in said roll shall neglect or refuse to pay his assessment within forty days from the date of the warrant, then to levy and collect the same by distress and the sale of the goods and chattels of such person, and return said roll and warrant together with his doings therein, within sixty days from the date of such warrant.

Penalty for non-payment within forty days.

SEC. 12. Upon receiving said assessment roll and warrant, the city treasurer shall proceed to collect the amounts assessed therein and for that purpose it shall be his duty immediately upon receiving such rolls to give public notice of the receipt thereof by him by publication for six successive days in the official paper of the city. If any person shall neglect or refuse to pay his assessment within forty days from the date of the warrant attached to such roll, the treasurer shall seize and levy upon any personal property found within the city or elsewhere within the county, belonging to such person, and sell the same at public auction, first giving six days' notice of the time and place of such sale, by posting such notices in three of the most public places in the city or township where such property may be found. The proceeds of such sale or so much thereof as may be necessary for that purpose, shall be applied to the payment of the assessment, and the percentage of five per cent upon the amount of the assessment for the costs and expenses of said seizure and sale, and the surplus, if any, shall be paid to the person entitled thereto.

Treasurer to give notice of collection.

To seize personal property in case of non-payment.

Disposal of proceeds of sale.

SEC. 13. The treasurer shall make returns of said assessment roll and warrants to the city clerk, according to the requirements of the warrant, and if any of the assessments in said roll shall be returned unpaid, the treasurer shall attach to his return a statement, verified by affidavit, containing a list of the persons delinquent, and a description of the lots and premises upon which the assessments remain unpaid and the amount unpaid on each.

Treasurer may make return to clerk.

SEC. 14. Said warrant may be renewed from time to time by the city clerk, if the council shall so direct, and for such time as it shall determine, and during the time of such renewal the warrant shall have the same force, and the city treasurer shall perform the same duties and make the like returns as above provided. In case any assessment shall be finally returned to the city treasurer unpaid as aforesaid, the same may be re-assessed in the manner provided in section ten of this chapter with interest included at the rate of ten per cent per annum from the date of confirmation of the assessment, until the last day for the payment of taxes in the next city or other general tax roll, and be collected and paid in all respects as provided in said section ten.

Warrant may be renewed.

Assessment
may be col-
lected by suit.

SEC. 15. At any time after a special assessment has become payable the same may be collected by suit, in the name of the city, against the person or corporation assessed in an action of assumpsit in any court having jurisdiction of the amount. In every such action a declaration upon the common counts for money paid shall be sufficient. The special assessment roll and certified order or resolution confirming the same shall be prima facie evidence of the regularity of all the proceedings in making the assessment, and of the right of the city to recover judgment therefor.

Judgment to
be rendered
against
defendant,
when.

SEC. 16. If in any such action it shall appear that by reason of any irregularities or informalities the assessment has not been properly made against the defendant or upon the lot or premises sought to be charged, the court may, nevertheless, on satisfactory proof that expense has been incurred by the city, which is a proper charge against the defendant, or the lot or premises in question, render judgment for the amount properly chargeable against such defendant or upon such lot or premises.

Council may
provide for
collection by
ordinance.

Proviso.

SEC. 17. The common council shall have power to make all such by-laws and ordinances relative to any special assessment or tax in said city as they may deem necessary to enable them to levy and collect such tax in all cases when the manner of levying and collecting such tax is not provided for in this act: Provided, That such by-laws and ordinances are not inconsistent with any of the provisions of this act: And provided also, That whenever any person shall be improperly designated as the owner or occupant of any lot or premises in proceedings under this act, or in any of the by-laws or ordinances of said city, relative to any special assessment, such tax or assessment shall not for that cause be vitiated, but the same shall be a lien upon such lot or premises and shall be collected as in other cases.

CHAPTER XXI.

SIDEWALKS.

Council to
have charge
and control of.

SECTION 1. The council shall have charge and control of sidewalks and shall have power to establish, construct, repair and maintain sidewalks in said city and to order the same or any part thereof to be constructed and repaired by the owner of the premises adjoining or abutting said walks and prescribe and prepare the grade thereof whenever and wherever necessary, and of such dimensions and material and under such regulations as they deem proper for the public use and benefit of said city.

In case
council
shall order
building of.

SEC. 2. In case the council shall order the whole or any part of any such walk to be built and paid for by the owner of such premises adjoining to or abutting thereon and such owner shall neglect to build said walk or pay the costs and

expenses thereof as said council shall have determined and ordered, the same shall be and remain a lien upon the premises adjoining to or abutting said walk which may be enforced by the sale of said property in such manner as prescribed by the general State law in relation to taxes, and it shall also be lawful, in case of the non-payment by the owner of said premises of the amount so charged against him, for said city to sue for and collect such amount in an action of assumpsit for work done and materials furnished for his use and benefit.

SEC. 3. If the owner or occupant of any lot or premises shall fail to construct or maintain the whole or any part of said sidewalk as mentioned and prescribed in the two preceding sections, or shall fail to keep the same in repair, the council may cause the same to be done and such sidewalks be constructed and repaired at the expense of such owner or occupant, and the amount of all the expenses incurred by the council thereby shall be levied as a special assessment upon the lots or premises adjacent thereto or abutting on such sidewalk: *Provided, That* If owner fail to construct. the council shall also have power to divide said special assessments into equal installments and to issue bonds for the payment thereof as provided in sections seven, eight and nine of chapter nineteen of this act. Proviso.

CHAPTER XXII.

BOARD OF REVIEW.

SECTION 1. There shall be a board of equalization and review, non-partisan, as near as may be, composed of one member of each ward, elected as provided in section nine of this charter, who shall be electors and freeholders and the city attorney and the senior alderman of each ward and the city clerk. It shall choose one of its members chairman, and the city clerk shall be its clerk. The full term of the elected members of the board of review shall be two years from the first Monday of May, unless otherwise provided, in the year in which they were severally elected. In case of a vacancy caused by death, resignation, removal from his ward, or otherwise, the mayor shall nominate a freehold elector of the ward in which the vacancy occurred to fill the same. Every person so nominated on being confirmed by a majority vote of all the aldermen elect and taking the constitutional oath, shall be a member of said board until the next annual election. If any person so appointed a member of said board shall refuse or neglect for ten days after being duly notified thereof, to qualify by taking said oath and filing it with the city clerk, the latter shall at once notify the mayor and council thereof. Such failure may be treated as a declination of the office and a new nomination may be thereupon made and confirmed in the manner aforesaid. Who to compose. Term. Vacancy. Must qualify within ten days.

When meet-
ing to be held.

Board to
correct roll.

Roll to stand
approved
when cor-
rected.

Clerk to notify
parties when
valuation
increased.

Notice, how
served.

Second meet-
ing of board.

May make
corrections
on request.

SEC. 2. On the Tuesday next following the third Monday in May in each year, at nine o'clock in the forenoon, the board of review of said city shall meet at the council room, at which time the city clerk shall submit to said board the assessment rolls of the several wards for the current year as prepared by the several supervisors of the city, and filed in his office, and the said board shall proceed to examine and review the same, and during that day, and the next three days of its session, said board, of its own motion, or on sufficient cause being shown by any person, shall add to said roll the names of persons, the value of personal property and the description and value of real property liable to assessment in said city omitted from any such assessment rolls; they shall correct all errors in the names of persons, in the description of property upon such rolls, and in the assessment and valuation of property thereon, and they shall cause to be done whatever else may be necessary to make said roll comply with the provisions of the tax law of the State of Michigan applicable thereto as now in force or hereafter enacted. The board shall pass upon each valuation and each interest, and shall enter the valuation of each as fixed by it in a separate column. The rolls as prepared by the supervisor shall stand as approved and adopted as the act of the board of review, except as changed as herein provided. If for any cause a quorum does not assemble during the days above mentioned, the roll as prepared by the supervisor shall stand as if approved by the board of review. It shall be the duty of the clerk of said board, whenever it shall have increased the value of real estate or added to the value of personal property on any of said rolls, to at once notify or cause to be notified, the party against whom such increased assessment is made, that the same has been done, and that he can appear before said board at a subsequent sitting named, and show cause under oath why such increase of assessment should not stand, if he objects thereto; such notices shall be in writing, or partly written and partly printed and signed by said clerk. It may be served by mail, postpaid, duly addressed to the party at his last known place of residence, in which case the time of mailing shall not be less than two full days before the time of hearing, or it may be personally served, in which case one full day's service of such notice shall be sufficient.

SEC. 3. The said board of review shall also meet at the common council room on the Tuesday next following the fourth Monday in May at nine o'clock in the forenoon, and continue in open and public session during that day and the three days following, and not less than six hours each day exclusive of noon recess, and at the request of any person whose property is assessed on either of said rolls, or his agent, and on sufficient cause being shown under oath, shall correct the assessment in such manner as in their judgment shall make the valuation thereof relatively just and equal; and said board

may do all acts that it was authorized to do at its first sessions the week before, and may in addition thereto, raise or lower the valuation of any property, when notice has been given as heretofore provided, or where the party assessed has been before it, or when he has had personal notice to attend, if a resident of the city of Flint, on any day to appear before said board at its session on the next day following. To that end the said board may examine on oath the person making such application, or any other person touching the matter. Any member of said board may administer such oath. After said board shall complete the review of said rolls, a certificate to the effect that the same is the assessment roll for the ward therein named for the year in which it has been prepared and approved by the board of review shall be indorsed thereon, signed by the chairman and clerk of said board, which certificate may be in form as follows: "The board of review of the city of Flint certify that the within or annexed roll is the assessment roll of the.....ward of the city of Flint for the year 19.., as approved by said board.

May ad-
minister
oath.

Form of
certificate.

.....Chairman,
.....Clerk."

CHAPTER XXIII.

CITY ENGINEER.

SECTION 1. The city engineer shall make all surveys required for the laying out, construction, operation, repair and improvement of streets, sewers, water-mains, cemeteries, parks, public grounds and buildings and prepare all necessary plans, profiles and specifications therefor, and perform the civil engineering work of said city of every description as required by the council. He shall keep in the sewer books of the several wards of the city a record showing the depths, size, and location of all sewers. He shall also keep in a book a record of all street grades established, for the convenience of the common council and the public.

To make
surveys, etc.

To keep cer-
tain records.

SEC. 2. Whenever the council of said city shall have decided upon making any public improvement it shall so declare by resolution and the city engineer with all convenient dispatch shall recommend as to the particular kind and estimate the quantity of material to be used therefor and estimate in detail the probable cost and expense of such work and of the material to be used therein, and to make a record thereof in his office, and to cause to be prepared, so far as is necessary, plans and specifications for such work or improvement and report his recommendation and estimate to the common council. Whenever such plans and specifications have been submitted to the council and adopted it shall be the duty of the clerk (except in case of cleaning and deepening of ditches and

To recommend
material, etc.

Clerk to
advertise
for bids.

gutters, and the repair of streets, pavements, cross-walks and sidewalks) to advertise for proposals for the furnishing of material and for the performance of such work, and submit all bids received to the common council.

Bidders to
furnish
security.

SEC. 3. The common council shall require all bidders to furnish security for the performance of proposals tendered to said clerk, if the bid is accepted, and also security for any contract awarded, and all bids submitted to said clerk shall be publicly opened by the council, or proper committee, and as soon thereafter as may be the mayor and city clerk shall enter into a contract with said bidder to whom the contract was awarded to furnish said material and perform said labor. The construction and repair of all public improvements shall be under the supervision of the city engineer. The city engineer shall classify the various works under his control, and upon the second Monday of March in each year, and oftener if required by the council, submit to it a statement showing in detail the progress and condition of all public improvements commenced or carried forward by or under the supervision of said city engineer, the character and amount of all contracts made by the mayor and city clerk, the moneys earned and paid thereon, and all other information necessary for the full understanding of the business conducted by said engineer. The city engineer shall from time to time make estimates of the amounts earned and payable upon any contract for work done and material furnished, and report the same to the council, and thereupon it shall be the duty of the council without unreasonable delay to order payment from the proper funds of the amount so reported.

To make
statement
annually
to council.

No officials to
take contracts.

SEC. 4. No member of the common council or any officer of the city shall be personally interested, either directly or indirectly, in any contract for any public works in said city, nor in the sale or disposition of any material to be used or applied in or about any public works or improvement.

CHAPTER XXIV.

BOARD OF HEALTH.

Council to
adopt health
measures.

Appointment
of board.

SECTION 1. The common council of said city shall have power and it shall be their duty to adopt measures for the preservation of the public health of said city and to restrain or prohibit the exercise of any unwholesome or dangerous avocations within the limits of the city. It shall be the duty of said common council on the second Monday of May, in the year nineteen hundred one, or as soon thereafter as may be, to appoint, on nomination of the mayor, a board of health for said city, to consist of two members so appointed, and the health officer of the city, who shall be president of the board.

Of said board so appointed, one member shall hold his office ^{Term.} for the term of one year and one member for the term of two years, and thereafter in each year, at the time aforesaid, a member of said board shall be appointed in the manner aforesaid to take the place of the member whose term of office expired, and who shall hold his office for the term of two years. The said board of health shall have power, and it shall be their duty to take such measures as they shall deem effectual to prevent the entrance of any pestilential or infectious diseases into said city; to stop, detain and examine for that purpose every person coming from any place infected or believed to be infected with such disease; to establish, maintain and regulate a pest-house or hospital or both at some place in said city, or not exceeding three miles beyond its limits or bounds; to abate all nuisances of every description, which are or may be injurious to the public health, or in any way and manner they may deem expedient, and from time to time to do all acts, make all regulations and recommend to the common council to pass such ordinances as they shall deem necessary or expedient for the preservation of health and the suppression of disease of said city, and to carry into effect and execute the powers hereby granted. Said board of health shall also have and exercise within and for said city all the powers and authority conferred upon boards of health by chapter forty-six of the compiled laws of eighteen hundred and seventy-one, so far as the same are applicable and consistent with this act, and such powers as are now or may be hereafter granted to boards of health by the general laws of the State. The said health officer shall have such powers and perform such duties as are conferred upon or required of health officers of cities and townships appointed under the general laws of the State, and shall perform such other duties pertaining to his office as may be required by the board of health of said city. ^{Powers and duties.}

SEC. 2. Every keeper of an inn or boarding house or lodging house in said city, who shall have in his or her house at any time any person sick with any infectious or pestilential disease, shall report the fact and the name of the person in writing within six hours after such sick person came to the inn or house or was taken sick therein, to some officer or member of the board of health. Every physician in said city shall report under his hand to the health officer, the name, residence and disease of every patient, whom he shall have sick with an infectious or pestilential disease within six hours after he shall have visited such patient. A violation of either of the provisions of this section or any part of either shall be a misdemeanor punishable by a fine or imprisonment or both, the fine not to exceed one hundred dollars nor the imprisonment three months. ^{Inn keepers, physicians to report cases of disease.}

^{Penalty for failure to report.}

Meetings of board. SEC. 3. The board of health shall hold regular meetings on the last Tuesday of each month, and special meetings at the call of the health officer. The city clerk shall be the clerk of said board and keep a correct record of its proceedings.

Clerk.

Compensation. The members of such board of health shall receive such compensation for their services as the common council deem reasonable.

CHAPTER XXV.

FIRE DEPARTMENT.

Powers of council. SECTION 1. The common council shall have power to enact such ordinances and enforce such regulations as they shall deem necessary to guard against the recurrence of fires and to protect the property and persons of the citizens against damage and accident resulting therefrom; and for this purpose to establish and maintain fire, hose and hook and ladder companies; to employ and appoint firemen; to make and establish rules and regulations for the government of the department, the employes, firemen and officers thereof; and for the care and management of the engine, hose, apparatus, property and buildings pertaining to the department and prescribing the powers and duties of such employes, firemen and officers. They shall also have such further powers and duties in relation to fires and the prevention thereof and to the fire department of said city as are conferred by the provisions of chapter twenty-nine of act number one hundred and seventy-eight of the session laws of eighteen hundred and seventy-three, entitled "An act for the incorporation of cities," approved April twenty-nine, eighteen hundred and seventy-three, being subdivision twenty-nine of chapter eighty, Howell's annotated statutes, or which are now or may be at any time hereafter conferred by the general laws of the State.

Chief engineer. SEC. 2. At the first regular meeting in the month of May, or as soon thereafter as may be, the common council shall proceed to elect a chief and a foreman of the fire department, whose term of office shall be for one year and until their successors are elected and qualified, unless sooner removed by a majority vote of all the aldermen elect. The positions of drivers and firemen shall be filled upon the recommendation of the chief and the approval of a majority of all the aldermen elect. Temporary vacancies may be filled by the chief until the next regular council meeting. The chief and all members of the fire department shall at all times be subject to such rules and regulations as the common council shall adopt for their government.

Firemen.

Vacancies.

CHAPTER XXVI.

MISCELLANEOUS PROVISIONS.

SECTION 1. Treasurer's bond. The treasurer of said city shall, before entering upon the duties of his office file with the city clerk his bond, conditioned for the faithful performance of his duties as such treasurer, in such amount and with such sureties as the common council shall require and approve; and such treasurer shall give to the treasurer of the county of Genesee such other security, as is now or may be hereafter required by law of township treasurers of the several townships of this State; and for the purposes of the return of all such taxes and the return of all property delinquent for the non-payment of taxes, the treasurer shall possess all the powers and perform all the duties of the several township treasurers of this State, as prescribed by law.

Council to
require and
approve.

Powers of
treasurer.

SEC. 2. Whenever in laying out or altering any street, lane or alley, park or public ground of said city, the common council shall require for such purpose the grounds of any person, they shall give notice thereof to the owner or person interested, or his or her agent or representative by personal service, or by written notice posted in three public places in said city, at least three weeks preceding the meeting of said common council for the purposes aforesaid, and the said common council is authorized to treat with such person or persons for such ground or premises, and if such person or persons shall refuse to treat for the same, or if the parties cannot agree therefor, it shall be lawful for the mayor of said city to issue a venire facias to command the chief of police or any constable of said city to summon and return a jury of twelve disinterested freeholders to appear before said mayor, at any time therein to be stated, to inquire into and determine the necessity of using such ground for such improvement, and to ascertain the just compensation to be paid therefor to the owner of or parties interested in such grounds or premises, which jury being first duly sworn by said mayor faithfully and impartially to inquire into the necessity for taking or using such ground, and to ascertain and determine the just compensation to be paid therefor, and having viewed the premises if necessary, shall inquire of and assess such damages and recompense as they shall judge fit to be awarded to the owner or owners of or parties interested in such grounds or premises for their respective injuries according to the several interests or estates therein: Provided, That notice of the time and place when such jury will meet as aforesaid shall be served personally on the persons interested in the premises proposed to be taken or be published at least one week in the official paper of said city; and upon the return

Private
property
taken for
public pur-
poses.

Jury to be
summoned.

To assess
damages.

Proviso.

Tender amount to owner.	of the assessment or verdict of said jury, the mayor shall enter judgment therefor confirming the same; and such sum or sums so assessed shall be paid or legally tendered before such street, lane, alley, park or public ground shall be made, laid out, altered or opened, to the claimant or claimants thereof; it shall thereupon be lawful for said common council to cause
Claimant may appeal.	said grounds to be occupied for the purposes aforesaid: Provided, That any party claiming damages as aforesaid may have the right to remove such proceedings by appeal to the circuit court, or any court of competent jurisdiction, upon giving notice of his or her or their intention to do so to said mayor in writing, within ten days, or in case of the absence of said party from the city at the time of the rendition of the judgment, then within thirty days after the verdict of such jury and the judgment of such court aforesaid; and upon filing a transcript of the proceedings aforesaid duly certified by the mayor, within forty days after the verdict and judgment in the circuit court or in any other court of record having appellate jurisdiction, the same proceedings shall be had as is or may be prescribed by law in other cases of appeal.
Council may remit taxes.	SEC. 3. The common council shall have power by a two-thirds vote of all members elect to contract with persons or corporations starting new manufacturing or other business enterprises within said city for the remission of all general municipal taxes of the city on the property real and personal, of such persons or corporations actually used for the purpose of such new manufacturing or business enterprises, for such a period not exceeding ten years as the common council may deem for the interest of the city: Provided, That such contract shall have no binding force until approved by a vote of the taxpaying electors of the city specially called for that purpose.
Electors to vote on such remission.	SEC. 4. The common council of said city is hereby authorized and required to perform the same duties in and for said city as are by law imposed upon the township boards of the several townships of this State, in reference to school taxes, county and State taxes, the support of the poor, and State, district and county elections; and the supervisors, justices of the peace, city clerk and all other officers of said city, who are required to perform the duties of township officers of this State, shall take the oath, give the bonds, perform like duties, and receive the same pay and in the same manner and be subject to the liabilities as provided for the corresponding township officers, except as otherwise provided in this act, or may be provided by the ordinance of the common council, and the supervisors shall also perform the duties of assessors in their respective wards.
General duties of council and city officers.	SEC. 5. The common council shall have full power to assess and collect of each individual using or being benefited by any public sewer or drain, as follows, to wit: The sum of one dollar and fifty cents annually for each cellar drained
Tax for use of sewers, drains.	

directly or indirectly, for a drain into any public drain or sewer; which assessment shall be taken to include all other drainage of the premises, to which said cellar specially belongs; and the sum of fifty cents annually for each lot or subdivision of a lot being without a cellar drained as aforesaid into any public drain or sewer, and such sum as may be fixed by the common council for all establishments requiring an unusual or extraordinary amount of drainage drained as aforesaid, which sums when collected shall constitute the sewer fund, and shall be expended exclusively for the repair and construction of sewers; and the collection of the charges to individuals for drainage in this section provided, shall be enforced in such manner as the common council may by ordinance direct. How collected.

SEC. 6. Whenever, in the opinion of the common council, any building, fence or other erection of any kind, or any part thereof is liable to fall down, and persons and property may be thereby endangered, they may order any owner or occupant of the premises on which said building, fence or other erection stands, to take down the same or any part thereof, within a reasonable time to be fixed by the order or immediately as the case may require, or may immediately, or in case the order is not complied with, cause the same to be taken down at the expense of the city on account of the owner of the premises and assess the expense on the land on which it stood; the order, if not immediate in its terms, may be served on any occupant of the premises, or be published in the city paper as the common council shall direct. Unsafe buildings, fences.

SEC. 7. All fines imposed for the violation of the ordinances of the city if paid before the accused is committed, shall be received by the court or magistrate before whom the conviction was had. If any fine shall be collected upon execution, the officer or person receiving the same, shall immediately pay over the money collected to such court or magistrate. If the accused be committed, payment of the fine and costs imposed shall be made to the sheriff or other keeper of the jail or prison, who shall, within ten days thereafter pay the same to said court or magistrate, and the court or magistrate receiving any such fine or penalty or any part thereof, shall pay the same into the city treasury. Fines paid into the city treasury for violation of the ordinances of the city shall be disposed of as the common council may direct. Fines, to whom and when paid.

SEC. 8. The common council shall have power to regulate the time and manner of working upon the streets, lanes, alleys in said city; to provide for the grading, paving, planking and railing of all streets, lanes and alleys, sidewalks and crosswalks, and to prescribe the width thereof; to cause sidewalks to be frequently inspected for the public safety, and when found defective to be summarily repaired, and the expense thereof to be paid from the general highway and street improvement fund; to lay out and open all streets, lanes and Of streets, parks, bridges, etc.

alleys, parks and public grounds, and the same to alter and vacate, and to alter and vacate those already laid out; to cause sewers, drains and vaults, arches and bridges, wells and pumps and reservoirs to be built in any part of said city; to cause the grading, leveling and repairing of all streets and alleys, sidewalks, crosswalks, parks and public grounds in said city, and to prevent the obstruction or encumbering thereof.

Fiscal year.

Financial statement to be published.

Unauthorized indebtedness not to be incurred.

False swearing deemed perjury.

Double costs to be recovered, when.

Rights and actions preserved.

Former ordinances.

SEC. 9. The fiscal year shall commence on the first day of March in each year, and end with the last day of February of the year following. The common council shall annually, within twenty days after the close of the fiscal year, publish a detailed statement of the receipts and expenditures for the year, and shall so group together the principal causes of expenditure as to show the expense of water supply, fire department, police services, public lighting and the like. Such statement may be published in the official paper or in handbill form for general distribution, or as the council may direct.

SEC. 10. No bond or other obligation or evidence of indebtedness of said city shall ever be given or issued by said city or any officer thereof in his official capacity, whereby the city shall become obligated to pay any sum of money, except as expressly provided for in this act, but the common council may endorse on all accounts which may be presented against the city, the amounts allowed by them thereon; an account of all claims so allowed shall be kept by the city clerk in a book to be provided for that purpose; no order or warrant for the payment of money shall be drawn upon the treasurer when there shall not be sufficient funds in the treasury to pay the same.

SEC. 11. Any person who may be required to take any oath or affirmation, under or by virtue of any provision of this act, who shall under any oath or affirmation, in any statements or affidavit or otherwise, wilfully swear falsely as to any material fact or matter shall be guilty of perjury.

SEC. 12. If any suit shall be commenced against any person elected or appointed under this act to any office for any act done or omitted to be done under such election or appointment or against any person having done anything or act by the command of any such officer and a final judgment be rendered in such suit whereby any such defendant shall be entitled to costs, he shall recover double costs in the manner defined by law.

SEC. 13. Nothing herein contained shall be construed to destroy, impair or take away any rights or remedies acquired or given by any section of the charter of the city of Flint hereby repealed; and all proceedings commenced under such sections before the passage of this act shall be carried out and completed and all prosecutions for any offense committed, or penalty or forfeiture incurred, shall be enforced in the same manner as if this act had not been passed, but nothing in this

act contained shall be construed to impair or annul or affect any ordinance or by-law or resolution of said city, not inconsistent with the provisions of this act, but the same shall continue and be in force until the same are repealed or annulled as fully as though this act had not been enacted.

SEC. 14. The common council shall have power to permit electric and steam railways to cross at grade on Saginaw and Harrison streets in said city under such requirements as the railroad commissioner shall prescribe under the power conferred by the general railway laws of the State. Relative to railway crossing.

SEC. 15. All acts and parts of acts inconsistent herewith, except as herein otherwise provided, are hereby repealed. Inconsistent acts repealed.

This act is ordered to take immediate effect.

Approved March 21, 1901.

[No. 347.]

AN ACT relative to justices of the peace, and justice courts in the city of Flint.

The People of the State of Michigan enact:

SECTION 1. At the annual charter election held in the city of Flint on the first Monday in April in the year nineteen hundred one, and at such election once in two years thereafter, there shall be elected a justice of the peace. Such justice shall be elected on the city ticket in the manner provided by law for the election of other elective city officers. No person shall be eligible to hold the office of justice of the peace under this act unless he is an attorney at law duly admitted to practice in the circuit court of this State of three years good standing. The term of office of all persons elected to the office of justice of the peace under this act shall commence on the fourth day of July next succeeding their election, and shall continue for the term of four years and until their successors shall have been elected and have qualified. When to be elected.

SEC. 2. Such justices of the peace shall concurrently have the exclusive jurisdiction to hear, try, and determine all charges for offenses and misdemeanors alleged to have been committed within said city, and which by the general laws of the State are within the jurisdiction of justices of the peace. They shall also concurrently have the exclusive jurisdiction to hear and examine all charges for crimes alleged to have been committed within said city and which, by the general laws of the State, are examinable by and before justices of the peace, and hold to bail or commit for trial in the court for Genesee county. They shall also have ~~jurisdiction~~. Who eligible to office of.

jurisdiction with other justices of the peace of the county of Genesee as to all crimes, offenses and misdemeanors when alleged to have been committed without said city but within the county of Genesee: Provided, however, That this section shall not affect the jurisdiction of justices of the peace now in office within said city.

Laws to govern.

SEC. 3. The general laws of the State relating to justices of the peace shall, in all things, apply to and govern the justices of the peace hereafter elected in the city of Flint, except as otherwise provided in this act.

To have jurisdiction in case for violation of ordinances.

SEC. 4. The justices of the peace elected under this act shall have concurrent jurisdiction to hear, try and determine all complaints for violation of any of the ordinances of the city of Flint and all persons convicted by or before such justice of the violation of any of the ordinances of said city may, by the justice before whom such conviction is had, be fined or imprisoned, or both, in the discretion of such justice, according to the terms of the ordinance under which such trial and conviction was had. And if a fine be imposed it shall be with the costs of prosecution, if the ordinance so provides, and an appeal may be taken to the circuit court for the county of Genesee by the person convicted, as in other criminal cases. All imprisonments imposed under this act may be in the county jail of the county of Genesee, or in the city jail of the city of Flint.

Cases, how appealed.

Not to receive fees.

Salary.

SEC. 5. No justice of the peace hereafter elected in said city shall receive any fees to his own use, but in lieu thereof shall be paid an annual salary by said city, as follows: For the years ending in July, nineteen hundred two, nineteen hundred three and nineteen hundred four, the sum of eight hundred dollars payable in installments of two hundred dollars at the end of each quarter, and each year thereafter the sum of one thousand dollars payable quarterly as aforesaid in installments of two hundred and fifty dollars each.

Court room, etc., to be provided.

SEC. 6. The common council of said city shall provide a court room and a jury room attached, for the use of each of the justices of the peace, and their successors to be elected as herein provided, as the same shall be required, and to furnish the same with tables, desks, furniture, fuel, blanks and stationery, and such other things as may be necessary to properly carry on and furnish said justice courts.

Prosecutions, how commenced, etc.

SEC. 7. Prosecutions under the ordinances of the city shall be commenced and carried on in the name of the "city of Flint" and the practice in all cases under this act shall (except as herein otherwise provided) be the same, as near as may be, as in cases of like character cognizable by justices of the peace in townships.

Bonds, how approved.

SEC. 8. Said justices shall qualify in the manner provided by the general laws of the State, but their official bonds shall be presented to, and approved, by the common council of said city, before the same shall be filed with the clerk of said county.

SEC. 9. Proceedings in all prosecutions for violations of the ordinances of said city shall be the same as are now provided by the special charter of said city, except as herein otherwise provided. Proceedings to be same as provided in special charter.

SEC. 10. Said justices of the peace, so to be elected in said city, shall have jurisdiction to hear, try and determine all civil actions, which may be cognizable before any justice of the peace of the county of Genesee, and in all cases where all parties to such action are residents of said city, then said justices of the peace shall, concurrently, have exclusive jurisdiction thereof, but this section shall not affect the jurisdiction of justices of the peace now in office. Jurisdiction.

SEC. 11. The justices of the peace now in office shall continue to hold their offices until the expiration of their respective terms and so long as they remain in office their jurisdiction shall remain unchanged except that after a justice herein provided for has been elected and qualified, all cases for violation of city ordinances shall be brought before such justice as may be hereafter elected. Provisions as to those now in office.

SEC. 12. Before any civil action or proceeding, except proceedings in garnishment, shall be commenced before any justice hereafter elected in said city, there shall be paid to said justice by the party bringing the suit, the sum of fifty cents, and before the trial of any such action or proceeding shall be commenced the further sum of fifty cents, but in case of non suit, no judgment fee shall be required, and proceedings in garnishment shall be treated as part of the original case, and no additional fee therefor, as justice's fee, shall be charged up to and including the entry of judgment therein, and the amount so paid shall be in lieu of justice fees, and security for costs may be required as under the general laws of the State. Amount to be paid before commencement of suits.

SEC. 13. All proceedings before such justices of the peace, both in civil and criminal proceedings, in the issuance and service of process, the trials, docket entries and records, the collection and payment of fees and costs, appeals and certiorari and returns thereto, shall be controlled by the general laws of the State applicable thereto, except as herein otherwise provided, but this act shall in no way effect [affect] the fees to which said justices may be entitled on performance of marriage ceremonies, taking acknowledgments or administering oaths in matters not connected with any litigation before said justices. Laws controlling proceedings.

SEC. 14. As the terms of office of the justices of the peace in said city shall expire, their dockets, and the dockets then in their possession, shall be turned over to, and delivered to, the justice who shall have been last elected under this act, and said justice, to whom said docket shall be delivered, and his successor in office, shall be authorized to issue executions or other process as is now, or may be authorized by law, upon any judgment appearing thereon. To deliver dockets, etc., to successor.

When to hold
sessions.

SEC. 15. The justices elected under this act shall hold a session of court every day, Sundays and legal holidays excepted, and shall have their court rooms open at least from nine o'clock a. m. until five o'clock p. m.

When to pay
fees, etc., to
treasurer.

SEC. 16. The justices elected under this act shall collect their fees and costs, and weekly, or oftener if required by the common council of said city, they shall severally pay over to the city treasurer of said city, all moneys received therefor, which shall belong to said city, taking duplicate receipts therefor, and filing one of said receipts, with their sworn statements of the amounts received, with the city clerk, and they shall not be entitled to receive their quarterly salaries until their accounts for the preceding quarter are fully settled, and all such fees and costs shall have been paid over as aforesaid.

Summons,
how signed,
etc.

SEC. 17. Summons may be signed in blank and delivered to attorneys in said city, and the same may be filled up and used by them, in all proper cases, and shall have the same force and effect as if filled up by said justice.

Genesee
county liable
for certain
fees.

SEC. 18. In all prosecutions before said justices for violations of any of the general laws of the State, the county of Genesee shall be liable for justice fees, and other fees and costs, to the same extent that it is liable under the general laws of the State for justice fees, and the justice earning such fees shall make out and certify his bill for such fees and present the same to the board of supervisors of said county at each of its regular sessions, and such board shall allow the same as in other cases of bills from justices of the peace, and the amount of the order therefor shall be paid over and delivered by such justice to the city treasurer in the manner herein provided.

Repealing
clause.

SEC. 19. All acts and parts of acts relative to justice courts and justices of the peace within the city of Flint, inconsistent with this act, are hereby repealed.

This act is ordered to take immediate effect.

Approved March 21, 1901.

[No. 348.]

AN ACT to amend sections three, six and nine of an act entitled "An act to reincorporate the city of Mason," being act number two hundred and seventy-two of the local acts of one thousand eight hundred and ninety-one, approved April third, in the year one thousand eight hundred and ninety-one, and to add thereto a new section to stand as section seventeen.

The People of the State of Michigan enact:

SECTION 1. That sections three, six and nine of an act entitled "An act to reincorporate the city of Mason," being act number two hundred and seventy-two of the local acts of one thousand eight hundred and ninety-one, approved April third, in the year one thousand eight hundred and ninety-one, be and the same are hereby amended, and that a new section be added thereto to stand as section seventeen. Said amended and added sections to read as follows: Sections amended.

SEC. 3. In said city of Mason, the following city officers, viz.: mayor, city clerk, city treasurer, who shall be ex officio city collector, three school inspectors, two justices of the peace and two aldermen at large shall be elected by the qualified voters of the whole city. Officers to be elected.

SEC. 6. The mayor, city clerk, city treasurer, supervisors and constables shall hold their offices for the term of one year from the first Monday in April of the year when elected, and until their successors are qualified and enter upon the duties of their offices respectively. Term of office.

SEC. 9. The city marshal shall be appointed by the common council the same as other city officers are appointed under and by virtue of chapter five of act number one hundred and seventy-three of the public acts of one thousand eight hundred and seventy-eight, and he shall be governed by the provisions of said act in all respects wherein the same is not inconsistent with his said office or herein otherwise provided, and his qualifications shall remain the same as heretofore, and in addition to his other duties he shall perform, or cause to be performed, all the duties which have been heretofore performed by the street commissioner, and all duties heretofore required to be performed by the street commissioner; and the duties of the said office shall remain the same as heretofore required of him when elected by the people, and his duties, powers, rights, privileges and authority shall continue the same as heretofore. Marshal, how appointed, duties, etc.

SEC. 17. The council may, by a unanimous vote of all the members elect, loan its sinking fund, or any portion thereof, to any person, firm or corporation, or may loan different portions of the same to different persons, firms or corporations for such time, at such rate of interest, and on such terms and How may loan sinking fund.

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conditions as the council shall prescribe, the interest and profits so received to be credited to the sinking fund.

This act is ordered to take immediate effect.

Approved March 21, 1901.

[No. 349.]

AN ACT to provide the manner of conducting elections in the township of Calumet, county of Houghton, State of Michigan, and to repeal local act number two hundred fifty-three of the local acts of eighteen hundred seventy-seven and act number three hundred sixty-seven of the local acts of eighteen hundred eighty-nine.

The People of the State of Michigan enact:

Township
board to
appoint
inspectors
of election.

For precinct
number one.

Number two.

Board may
fill vacancy.

Powers and
duties of
board.

SECTION 1. That the township board of the township of Calumet, in the county of Houghton, State of Michigan, be, and are hereby empowered to and shall at a meeting of said board, to be held at least two weeks prior to the annual spring election therein, appoint a board of inspectors of election for each election district or precinct in said township into which the said township now is or may hereafter be divided, whose duties shall be the same as those required of inspectors of election under the general election laws of this State; said board to be composed of four qualified electors of said township as follows: For precinct numbered "one" therein, the supervisor, the township clerk and the two justices of the peace whose term of office shall first expire; for precinct numbered "two" therein, the remaining two justices of the peace of said township, the township treasurer and one other qualified elector of said township; and the inspectors of election for each of the other districts into which the township is now or may hereafter be divided to be appointed by the said township board at such meeting as aforesaid. And in case of the absence of any of the above named officers or those to be appointed as above mentioned by said board, then said township board shall have power to fill the vacancy caused by such absence. The inspectors of election appointed as aforesaid shall be the board of inspectors of election for the ensuing year in such district or precinct and until their successors are appointed and qualified.

SEC. 2. The boards of inspectors of each district shall be inspectors of elections in each election or township meeting held therein. They shall appoint one of their number chairman of the board, shall administer oaths, make appointments and have the same powers and authority for preserving order

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and enforcing their commands and all other powers for proceeding with the elections in said district and shall conduct the elections therein in the same manner as now or hereafter directed by law for township inspectors of general elections held in this State, unless herein otherwise provided. They shall receive the same compensation of township inspectors from the township, and before entering upon their duties shall take and subscribe the oath of office prescribed by the constitution.

Compensation.

SEC. 3. The electors of each district shall vote in their respective districts in which they reside, and for which they are registered, except such as are required to act as inspectors of election, who may vote at the polls where they act as inspectors.

Electors,
where to vote.

SEC. 4. A new registration for the whole township shall take place on the Saturday next preceding the first spring election to be held after the passage of this act. The board of registration of each precinct or district in said township shall complete the registration of the electors of each district or precinct in separate district or precinct registers, and shall transcribe to such district or precinct register from the township register the names of such electors as they know are qualified electors and residents of such district, and shall cause such district or precinct register to be present at every election for the use of each district or precinct board of inspectors; and for the purpose of perfecting the registration of electors in any election district the township board shall appoint a board of registration for each district or precinct to be composed of three qualified electors of said township as follows: For district or precinct numbered "one," the supervisor and two other duly qualified electors appointed by the township board; for district or precinct numbered "two," the township clerk and two other duly qualified electors appointed by the township board; for district or precinct numbered "three," the township treasurer and two other duly qualified electors appointed by the township board; and for each of the other districts or precincts into which the said township now is or may hereafter be divided, three qualified electors to be appointed by said township board; said electors as herein provided shall take and subscribe the oath of office referred to in section two of this act. Two members of said district boards of registration shall form a quorum. The members of said board of registration shall appoint one of their number to be chairman of the board, who shall have charge of the register of his district from the close of the registration to the morning of election day, when he will deliver it to the inspectors of election.

New registration,
when
and how
taken.

Registration
board for
district num-
ber one.
Two.

Three.

Members
to form a
quorum.

SEC. 5. The district or precinct inspectors of election shall, without adjourning, publicly canvass the votes received by them, the same as prescribed by law for canvassing votes at the general elections in this State, except as herein otherwise

Canvass of
votes.

100 34

provided, and shall on the same day make a statement in writing, setting forth in words at full length the whole number of votes given for each office, the names of persons for whom such votes for each office were given and the whole number of votes given upon each question voted upon and the number of votes given for and against the same; which statement shall be certified under the hands of the inspectors of election of such district or precinct to be correct, and they shall deposit such statement and certificate on the day of the election, together with the poll list and the register of electors and the boxes containing said ballots with the board of inspectors of district or precinct numbered "one," and said last named board shall immediately consolidate said district or precinct reports and the combined result shall be the official canvass of said township.

May redistrict townships.

SEC. 6. Said township board at any meeting thereof held at least two weeks before the annual spring election or meeting of the electors of said township, may and are hereby empowered, when the vote in any one precinct or district shall have exceeded three hundred at the last election held therein, to redistrict said township into election districts or precincts, in manner and form as is provided now by law for the original redistricting of townships.

General law to apply.

SEC. 7. The general election laws of this State shall apply to said township and the elections and meetings held therein, when not inconsistent with the terms of this act.

Act repealed.

SEC. 8. That the local act numbered two hundred fifty-three of the session laws of eighteen hundred seventy-seven and the local act numbered three hundred sixty-seven of the session laws of eighteen hundred eighty-nine be and hereby are repealed.

This act is ordered to take immediate effect.

Approved March 26, 1901.

[No. 350.]

AN ACT to change the boundary of the village of Iron River, in Iron county, by detaching certain territory and adding the same to the township of Iron River.

The People of the State of Michigan enact:

Territory embraced.

SECTION 1. That the boundary of the village of Iron River, in Iron county, be so changed as to exclude from the territory now embraced within its corporate limits the following parcel of land, to-wit: The northwest quarter of section twenty-six in township forty-three north of range thirty-five west of the

Michigan meridian, being one hundred and sixty acres more or less according to the government survey and including J. J. Sipchen's first addition to the village of Iron River; and that the territory so excluded be and the same is hereby placed under the control, within and made a part of the township of Iron River, in said county of Iron.

This act is ordered to take immediate effect.

Approved March 26, 1901.

[No. 351.]

AN ACT authorizing the board of supervisors of the county of Tuscola to appropriate money towards building a bridge across the Quaniccassee river in the township of Wisner in said county.

The People of the State of Michigan enact:

SECTION 1. That the board of supervisors of the county of Tuscola, shall have the power, by a majority vote of all the members of said board, to appropriate any sum not exceeding fifteen hundred dollars, from the contingent fund of said county, for the purpose of aiding in the erection of a bridge across the Quaniccassee river in the township of Wisner in said county. Such bridge to be built at such place in said township as said board of supervisors shall designate.

May appropriate money for bridge.

This act is ordered to take immediate effect.

Approved March 26, 1901.

[No. 352.]

AN ACT to authorize the city of Detroit to pay certain claims contracted by the common council of the city of Detroit for the publication of proposed amendments to the city charter under authority of an act of the legislature approved June fifteenth, eighteen hundred ninety-nine.

The People of the State of Michigan enact:

SECTION 1. That the common council of the city of Detroit be and is hereby authorized to pay from the contingent fund of said city the sum of six hundred and sixty-two dollars and eighty cents, being the expense incurred for the publication

Payment of expense authorized.

of proposed amendments to the city charter under authority of an act of the legislature approved June fifteenth, eighteen hundred ninety-nine.

This act is ordered to take immediate effect.

Approved March 26, 1901.

[No. 353.]

AN ACT to change the name of John Rapp to John Heinkel.

The People of the State of Michigan enact:

Name
changed.

SECTION 1. That the name of John Rapp of the city of Lansing, State of Michigan, be and the same is hereby changed to John Heinkel.

This act is ordered to take immediate effect.

Approved March 27, 1901.

[No. 354.]

AN ACT to detach certain territory from the township of Springfield, in the county of Kalkaska, State of Michigan, and to attach the same to the township of Garfield in said county.

The People of the State of Michigan enact:

Territories
attached to
Garfield
township.

SECTION 1. The following described property, to-wit: Township twenty-five north, range six west, is hereby detached from the township of Springfield, in Kalkaska county, and attached to the township of Garfield in said county.

Certain taxes,
where paid.

SEC. 2. All uncollected and delinquent taxes in township twenty-five north, range six west, shall belong to and shall be paid into the township of Garfield.

This act is ordered to take immediate effect.

Approved March 27, 1901.

[No. 355.]

AN ACT to vacate the township of Glade in the county of Kalkaska, Michigan, and to incorporate the territory comprised therein in the township of Garfield, in the county of Kalkaska, Michigan.

The People of the State of Michigan enact:

SECTION 1. The organization of the township of Glade, in the county of Kalkaska, is hereby vacated, and the territory thereof is hereby attached to the township of Garfield in said county. Certain territory attached to Garfield township.

SEC. 2. All rights of action, demands, credits, choses in action and property of whatsoever name and nature, now belonging to or existing in favor of said township of Glade, shall hereafter remain the demands, credits, rights of action and choses in action, and property of the township of Garfield. Rights of action, etc., how to remain.

SEC. 3. All debts, demands and rights of action now existing against the township of Glade shall be assumed by the said township of Garfield and shall hereafter become and remain the debts, demands and rights of action against the township of Garfield. It shall be the duty of the township officers in the township of Glade to turn over to the officers of the township of Garfield, the same as if the officers of the township of Garfield were their successors in office, all funds, files and records held by them by virtue of their offices. Debts, etc., by whom assumed. Officers to turn over books, etc.

This act is ordered to take immediate effect.

Approved March 27, 1901.

[No. 356.]

AN ACT to repeal sections four, five and six of chapter one and section five of chapter five, and to revise and amend chapters three and six, and section ten of chapter four, and sections sixteen and seventeen of chapter ten, and sections nine, eleven, sixteen and seventeen of chapter fourteen of an act entitled "An act to revise and amend the charter of the city of Ishpeming," approved March twenty-seventh, eighteen hundred ninety-one.

The People of the State of Michigan enact:

SECTION 1. That sections four, five and six of chapter one, and section five of chapter five of an act entitled "An act to revise and amend the charter of the city of Ishpeming," approved March twenty-seventh, eighteen hundred ninety-one, Section repealed.

Sections
revised
and amended.

be and the same are hereby repealed, and that chapters three and six and section ten of chapter four, and sections sixteen and seventeen of chapter ten, and sections nine, eleven, sixteen and seventeen of chapter fourteen, of said act entitled "An act to revise and amend the charter of the city of Ishpeming," approved March twenty-seventh, eighteen hundred ninety-one, be and the same are hereby revised and amended so as to read as follows:

CHAPTER III.

ELECTIONS.

Who are
electors.

Where
electors
shall vote.

Proviso.

Annual
election,
when held.

Notice to
be given.

Inspectors,
who to be.

Ballot box,
who to pro-
vide.

Inspectors
to make
certificate,
etc.

SECTION 1. The inhabitants of said city, being electors under the constitution and laws of the State of Michigan, and no others are declared to be electors under this act, and qualified to vote at such election. At all city and general elections every elector shall vote in the ward where he shall have resided twenty days next preceding the day of election; otherwise he may vote in the ward from which he removed: Provided, He shall have resided in said last mentioned ward twenty days next prior to such removal. If an elector shall have his regular or sleeping apartments in one ward, and shall take his meals in another ward, his residence for the purpose of voting shall be deemed to be the ward where he has his usual or regular sleeping apartments.

SEC. 2. The annual election in said city shall be held on the first Monday in April in each year at such places in the several wards as the common council shall from time to time designate. Notices of the time and place for holding such elections in each ward shall be given by the recorder at least ten days before the election, by posting the same in three public places in each of the several wards, and also by publishing the same in some newspaper printed in said city which shall be issued at least one week before said election. The aldermen and supervisor of each ward shall be the inspectors of election, and the supervisor shall be the chairman of such board of inspectors, and they shall also be inspectors of the State, district, county and all other elections, and they shall appoint suitable persons to act as clerks therefor. In case of the absence or legal incompetency to act of one or all of such inspectors, the electors present at the opening of the polls on election day may choose viva voce from their number, one or more persons to fill such vacancies, to whom, as well as clerks appointed as aforesaid, shall be administered the constitutional oath by one of said inspectors or by any justice of the peace or notary public. The common council shall provide one or more suitable ballot boxes with lock and key, for each ward. At each charter election said ward inspectors shall make one certificate of the number of votes given for each person for the several offices to be filled in and for said city,

and also one certificate of the officers elected by the greatest number of votes in and for each ward, which certificate shall be immediately filed in the office of said recorder of said city, and upon the Thursday next following the day of said election, the common council shall meet at the office of the said recorder, and shall thereupon determine who, by the greatest number of votes given in the several wards at such election, are duly elected to fill the respective city offices, and it shall be the duty of said recorder immediately after such determination, to cause notice to be given to each of the persons elected, of their election, and each of said officers so elected and notified, except the justices of the peace elected for the full term, shall within ten days thereafter, take and subscribe the constitutional oath of office before some person authorized to administer oaths, and shall deliver the same to said recorder who shall file the same in his office: Provided, That in case of the election of any one or more justices of the peace the recorder shall make a certificate thereof, and cause it to be delivered to the county clerk in the same manner as is required of township clerks, and in case two or more shall receive for the same office, an equal number and not a plurality of votes given at such election, the common council, in the case of a city office, and the inspectors of election, in case of a ward office, shall immediately proceed to determine by lot between the persons so receiving the highest number of votes, which shall be considered elected to said office.

Where council shall meet, determination of.

Recorder to notify persons elected. Certain officers to file oath.

Proviso.

SEC. 3. If at any annual election to be held in said city there shall be one or more vacancies to be filled in any office, and at the same time any person is to be elected for the full term of said office, the term for which each person is elected for said office shall be designated on the ballot.

In case of vacancy.

SEC. 4. If for any reason, any place designated by the common council for holding an election in any ward, cannot be used for such purpose, the electors of said ward who are assembled at such place at the time of opening the polls, may adjourn thence to another proper place in said ward, and there meet and hold such election: Provided, Some person of suitable age be left at said first mentioned place whose duty it shall be to notify all electors coming there, of the place to which said polls have been adjourned.

May adjourn to another place.

Proviso.

SEC. 5. Except as herein otherwise provided, the board of election in each ward at all elections held therein, shall possess all the powers that boards of elections in townships possess under and in pursuance of the laws of this State in force at the time of holding said election; and in all matters not otherwise provided for in this act the laws of this State applicable to the holding of township meetings shall apply to the holding of annual elections under this act; and all the laws of this State not inconsistent with this act, applicable to the holding of general elections in townships shall apply to the holding of general elections in the several wards of this

Powers of board of election.

General laws applicable.

Opening and
closing of
polls.

city. And at all elections held in said city the polls shall be opened and closed at the times, and kept open during the time provided for in the general laws of this State in force at the time of holding any election for the opening and closing, and keeping open of the polls at general elections.

In case notice
is not given.

SEC. 6. If notice of any election shall not be given as herein required, it shall be lawful for the electors to meet at the proper time and at the several places at which the last election was held, and hold the election, and they may thence adjourn if necessary, to some other place as in township elections, and in case of the non-attendance or neglect of the proper officers to act, the electors shall viva voce choose inspectors to act in their places: Provided, That if any election of officers under this act shall not be held on the day provided for, the corporation of the city of Ishpeming shall not for that cause be dissolved, but it shall be lawful to hold such election at any time thereafter, public notice thereof being given as provided in this act for general elections, and the incumbents of the several offices at the time when such election should have been held, shall continue to hold their respective offices until their successors are so elected and qualified.

In case of
non-attend-
ance, etc.
Proviso.

CHAPTER IV.

Street com-
missioner.

SEC. 10. The street commissioner shall be subject to the order of the board of public works in relation to all matters pertaining to the building, repairing, alteration or improvement of the streets of the city and shall perform such duties as may be from time to time prescribed by said board. He shall receive as compensation for his services, such sums as may be fixed annually by the council. The said commissioner shall collect all poll taxes in case the same be levied, and all resident highway labor taxes in case the same be levied, which overseers of highways are authorized to collect in their respective districts in townships unless otherwise ordered by the common council and said street commissioner shall be overseer of highways, and except as herein provided, vested with all powers of overseers of highways in townships and he shall give a bond to the city in such penalty and condition and with such sureties as the common council may prescribe and direct. The said commissioner shall also be sole fence viewer of the city, and possess all the powers, and be subject to the same liabilities as fence viewers in townships when acting together.

Compensation.

Commissioner
to collect poll
tax, etc.

CHAPTER VI.

POWERS AND DUTIES OF THE COMMON COUNCIL.

SECTION 1. The legislative control and authority of the city shall be vested in the common council, consisting of the mayor and two aldermen from each ward. The recorder shall be clerk of the council but shall have no vote therein. All meetings and sessions of the common council shall be public. A majority of the members of the common council entitled to a vote shall make a quorum for the transaction of business. A less number may adjourn from time to time and may compel the attendance of absent members and other city officers in the manner prescribed by ordinance, but no office shall be created or abolished or any tax or assessment be imposed, real estate or any interest therein sold or disposed of, or private property be taken for public use unless by a concurring vote of two-thirds of all the members of the common council elect entitled to vote, nor shall any vote of the common council be reconsidered or rescinded at a special meeting, unless there be present as many aldermen as were present when such vote was taken. No money shall be appropriated except by ordinance or resolution of the council.

Where legislative control is vested. Who constitutes the common council. Sessions to be public. Quorum.

When two-thirds necessary.

Appropriations.

SEC. 2. The council shall prescribe the rules of its own proceedings and keep a record or journal thereof. All votes shall be taken by "yeas" and "nays" when by the provisions of this act a two-thirds vote is required, and also when called for by any member of the council, and be so entered upon the journal as to show the names of those voting in the affirmative and those in the negative: Provided however, That in all cases of appointment of officers and fixing salaries, the votes shall be by ballot. The common council shall have the power to compel the attendance of its members and other officers of the city at its meetings in such manner as it may prescribe by ordinance; and it may by ordinance prescribe the punishment for any misbehavior, contemptuous or disorderly conduct by any member or any person present at any session of the council. The council may prescribe by ordinance or resolution for the appointment of standing committees of its members who shall perform such duties, investigate, have charge of, and report upon such matters as may be properly referred to them. Such committees shall be appointed by the mayor.

Rules, etc. How votes shall be taken.

Proviso.

Attendance may be compelled.

Council may prescribe standing committees.

SEC. 3. The city council shall hold stated meetings as often as once in each month, and may hold special meetings as often as necessary. The time for holding stated meetings shall be fixed by said council and if any stated meeting shall fall on a legal holiday, such meeting, by reason thereof, and without further action by said council, shall stand adjourned until the next succeeding day upon which the same can be

When stated and special meetings are held.

When council proceedings shall be published.

legally held. Within one week after the meeting of the city council all the proceedings transacted thereat shall be published in at least one newspaper in said city.

President of council.

SEC. 4. The council shall at its first regular meeting after any election, elect one of its members to be president of the council, such president shall, in the absence of the mayor, or in case of his inability to act, perform all the duties of the office; and in case of the absence of the mayor and president of the council, or the inability of both of them to act, for any reason, said council shall have power to select from its own number, a president pro tem., who shall have all the power and perform all the duties of the mayor for the time being.

President pro tem.

Records, etc., where kept.

SEC. 5. The council shall cause all the records of the corporation, all proceedings of the council, all books, documents, reports, contracts, receipts, vouchers and papers relating to the finances and affairs of the city, and to the official acts of any officer of the corporation (unless required by law to be kept elsewhere) to be deposited and kept in the office of the recorder, and to be so arranged and filed as to be convenient of access and inspection, and all records, books and papers, shall be subject to the inspection of any inhabitant of the city or other person interested therein, except such records or papers, or parts thereof, as in the opinion of the council it may be necessary for the furtherance of justice to withhold for the time being. Any person who shall secrete, injure, deface, alter or destroy any such books, records, documents or papers, or expose the same to loss or destruction, with the intent to prevent the contents, meaning or import thereof, being known, shall on conviction thereof, be punished by imprisonment in the State prison not longer than one year, or by fine not exceeding one thousand dollars, or by both such fine and imprisonment, in the discretion of the court.

Penalty for injury, etc.

Civil engineer, who to appoint, etc.

SEC. 6. The city council shall have power to appoint and compensate a civil engineer who shall have such powers, and perform such duties relating to his office as the council may prescribe. Said city council is also vested with full power to appoint all city officers provided in this act to be appointed by said council, and to compensate the same from the funds of said city and prescribe their powers and duties not specially defined in this act.

Power to appoint officers, etc.

To investigate charges against officers.

SEC. 7. The city council shall have power to investigate charges against any officer of the city, and such other municipal matters as they may deem proper to investigate. To enable said council so to do, any justice of the peace of the city of Ishpeming is authorized, at the request of the council or any investigating committee, to issue subpoenas or process by warrant to compel the attendance of persons and the production of documents, books and papers before said council or committee; and the mayor of the city shall have like power to issue such subpoenas and process.

SEC. 8. Whenever the city council or any committee of the members thereof, are authorized to compel the attendance of witnesses for the investigation of matters which may come before such council or committee, the presiding officer of the council or chairman of such committee, for the time being, shall have power to administer the necessary oaths, and such council or committee shall have the same power to compel witnesses to testify as is conferred on justice courts. And false testimony given by any witness upon a material matter of any inquiry or subject of investigation, shall be punishable as perjury. May compel attendance of witnesses.

SEC. 9. Said city council shall have authority to adjust and settle all accounts and claims against said city, and no suit or action shall be maintained against said city on any account or claim until the same shall have been itemized, specified and described, and the statement thereof, sworn to and presented to said council, and said council shall have an opportunity to pass upon the same. Any failure to comply with these requirements shall constitute a perfect defense to such action. To settle claims against city.

SEC. 10. The city council may acquire, purchase, improve, repair, erect or lease all such public buildings as may be required for the use of the corporation, and may purchase, acquire, appropriate and own such real estate and property, either within or without the limits of the city, as may be necessary for public grounds, parks, commons, markets, public buildings, cemeteries, and other purposes necessary or convenient for the public good, and the execution of the powers by this act conferred, such buildings or grounds or any part thereof may be sold either at private sale or public auction, or leased as the occasion may require by the city council: Provided, That no money shall be taken or appropriated from the funds of said city for the purpose of purchasing any building site, erecting any public building or establishing any park, common, public ground or market, without the concurring vote of two-thirds of all the members of the city council. Public buildings.

SEC. 11. The city council shall have the authority to lay out, establish, enlarge, vacate and discontinue within the corporate limits of the city, parks and public grounds, and to improve, light and ornament the same; to regulate the care thereof, and to protect the same and all the appurtenances thereto from obstructions, encroachments, injury and all nuisances. Parks.

SEC. 12. The city council shall have full power and authority to lay out, establish, open, alter, vacate, discontinue, widen, light and cause the board of public works to grade, macadamize, pave, plank, gravel or otherwise improve all highways, avenues, streets, gutters, lanes, alleys, drains, water-courses, culverts and bridges in said city whenever the council shall deem the same a public convenience, improvement or necessity, and may regulate the use thereof, and pro- Streets.

May take
private
property.

fect the same from destruction, encroachment or injury. If in laying out, establishing, altering or opening, widening, repairing or improving any highway, street, lane, avenue, alley, drain, water-course, culvert or bridge, it shall be necessary to use any private property, the same may be appropriated in the manner provided in this act for taking property for public use; the cost and expense of such improvement may be paid by the corporation, or the same, or any part thereof as the council may determine, may be assessed on the property adjacent thereto and benefited thereby, but no pavements shall be laid in any street at the cost of the general fund unless the improvement is a benefit to the city at large, such assessments may be levied and collected as by this act provided, for levying and collecting special assessments. The terms paved and macadamized shall be deemed to include gutters, curbing, crosswalks and ballasting.

Grades of
streets, etc.

SEC. 13. The city council shall have power to determine and establish the grade of all streets, avenues, alleys and public grounds, within the said city, and may change or alter such grades, or any part thereof, whenever, in their opinion, the public convenience shall be promoted thereby. Whenever a grade shall be established or altered a record thereof shall be made in a book provided by the council for that purpose.

Survey of
streets, etc.

SEC. 14. The city council may cause all public streets, alleys and public grounds to be surveyed, and may determine and establish the boundaries thereof, and cause the surveys and descriptions thereof, to be recorded in a book kept for that purpose in the office of the city clerk, and to be designated "book of street records." Such record shall be prima facie evidence of the existence of such streets, alleys or public grounds and the boundaries of the same.

May vacate
streets.

SEC. 15. When the council shall deem it advisable to vacate, discontinue or abolish, any street, alley or public ground or any part thereof, they shall by resolution so declare, and in the same resolution shall appoint a time not less than four weeks thereafter, when they shall meet and hear objections thereto. Notice of such meeting, with a copy of such resolution, shall be published for not less than four weeks before the time appointed for such meeting, in one of the newspapers of said city. Objections to such proposed action of the council may be filed with the recorder in writing, and if any such objections shall be filed, the street, alley or public ground, or any part thereof, shall not be vacated or discontinued, except by a concurring vote of two-thirds of the aldermen elect.

To regulate
the construction of
sidewalks.

SEC. 16. The city council shall have power to regulate the construction of all crosswalks and sidewalks in the public streets and alleys of said city, and may prescribe the grade thereof, and change the same when deemed necessary. Said council shall have the power to order the construction and

maintenance of crosswalks and sidewalks thereof in the public streets and alleys of the city, and charge the cost and expenses of sidewalks upon lots and premises abutting upon such walks.

SEC. 17. The city council shall have power to require the owners and occupants of all lots and premises to construct, repair and maintain sidewalks in the public streets and alleys of said city whenever said council shall deem the construction, repair or maintenance of the same a public necessity; and said council shall have power to require all sidewalks to be constructed and laid upon such lines and grades, and of such width and materials, and manner of construction, and within such time as said council may order or by resolution or ordinance prescribe. The council shall also have full and complete power to provide by ordinance for the building or repair of sidewalks by the owners or occupants of premises, and for assessing the cost and expense of the construction or repair thereof, to owners or occupants who shall neglect or refuse to build or repair the same when ordered by the council and they may, by ordinance, provide that such expense shall become a lien upon the land, when assessed as a tax, or that it may be collected by suit, or both.

May require owners to build.

Expense to become a lien.

SEC. 18. If the owners or occupants of any lot or premises shall fail to construct, repair or maintain any particular sidewalk as mentioned in the last section above, after due notice of not less than one week of the order of the council so to do, the city council may cause the same to be done at the expense of such owner or occupant. Such expense may be assessed upon the premises adjacent thereto, as provided in this act, and be collected with the annual taxes therein, or the same, together with costs of suit, may be recovered in an action of assumpsit, and in all such actions it shall be sufficient as a declaration to declare on the common counts in assumpsit for labor and materials furnished, and a statement of the materials furnished and labor expended in constructing any such sidewalk with the value of such material and labor verified by the officer under whose charge such walk may have been constructed, shall be prima facie evidence of the right of the city to recover the same. In case it is desired to make the cost and expense of construction of any particular sidewalk or crosswalk a lien upon premises benefited, to be collected by tax as aforesaid, the board of assessors shall assess the amount thereof to the abutting property owners, the proportions determined by front foot, and their authority so to do shall be based entirely upon the sworn statement of the officer constructing such sidewalk, showing the cost and expense thereof, and all preliminary proceedings of the council required in the chapter upon special assessments prior to the levy to an assessment shall be unnecessary: Provided, however, That to make such summary assessment valid the officer constructing the same shall, previous to his construc-

When owners fail to construct, etc.

Providso.

tion thereof, have given the owner or occupant abutting whose premises such walk is built, notice in writing of the order of the council to construct such walk, two weeks prior to the commencement of such construction by the officer, which notice shall contain a statement that the cost and expense of such construction, if completed by the city, will be assessed to the owner or occupant and collected in the tax levied in the next assessment roll. Upon the making of such assessment the board of assessors shall certify the same to the city recorder who shall give notice thereof to the city assessor in the same manner as notices of special assessments or tax appropriations are given under this act, and no other proceedings or notice shall be necessary to make the levy of such assessment valid, than is herein provided; and the same shall be placed on the assessment roll in the column "special tax" in the general tax levy. In all cases if the owner or occupant of the premises who shall be required to construct sidewalks in pursuance of this or the preceding section, shall fail to do so, and the same shall be constructed by the city, and if the cost and expense thereof be not paid to the city, either before suit brought therefor or before the levy of the assessment herein provided for, ten per cent of the cost and expense shall be added thereto and collected therewith, either in suit or in such assessment.

Finances,
council to
control.

SEC. 19. The common council shall have control of all the finances, rights and interest, buildings, and property, personal and real belonging to said city, and may make such ordinances and regulations in regard to the same as it may deem necessary for the care, protection and use thereof.

Power and
authority to
enact, amend
and repeal.

SEC. 20. The city council shall have full power and authority to enact, amend and repeal at pleasure, such ordinances as it may deem desirable for the following purposes:

To prohibit
vice and
immorality.
Disorderly
houses, etc.

First. To prohibit immorality and vice; to prohibit, prevent and suppress the keeping of houses of ill fame or assignation, or for the resort of common prostitutes, disorderly houses and places; to restrain and punish the keepers thereof, and persons found therein; to punish and restrain common prostitutes, vagrants, drunkards, mendicants, street beggars and disorderly persons, and to prohibit the use of vulgar and indecent language on the public streets and places in said city;

To prohibit
and suppress
gaming and
lotteries.

Second. To prohibit, suppress and prevent gambling, gambling houses, mock auctions, gaming with cards, dice, wheels of fortune, slot-machines, and any other kind of gaming or fraudulent device, and punish the keepers of any place, instrument, device or means of such game, and to punish all persons guilty of gaming, and to prohibit, prevent and suppress all lotteries and raffles for drawing and disposing of money or property or any valuable thing, and to punish all persons maintaining or assisting in carrying on the same;

Third. To preserve the public peace, good order and quiet, Public peace, etc. to prohibit, prevent and quell riots, disturbances and disorderly assemblages in the streets or elsewhere in said city; to prevent assemblages on the street corners or other places in the public streets to the annoyance and inconvenience of pedestrians and adjacent property owners;

Fourth. To prohibit, prevent, abate or remove nuisances Nuisances, to prohibit, etc. of every kind, and to declare what shall be considered nuisances; to compel the owner or occupant of any grocery, provision store, shop, butcher stall, slaughter-house, market, soap factory, tannery, stable, privy, privy vault, hog-pen, sewer or other unwholesome house or place; to cleanse, remove or abate the same from time to time as they may deem necessary for the health, comfort and convenience of said city; to prohibit or prevent within certain limits or districts Locations of buildings for storing gunpowder, etc. in said city the location of buildings for storing gunpowder; or other explosives, the carrying on or operation of tanneries; the manufacture of any combustible or inflammable material, Offensive trades. slaughter-houses and stock yards, butcher shops, soap factories, glue factories, establishments for steaming or rendering lard, offal and such other substances as can be rendered into tallow, lard or offal, and all establishments where any nauseous, offensive or unwholesome business may be carried on; to make regulations concerning the buying, carrying, selling, keeping and using gunpowder and other explosives, fire-crackers, toy pistols, and other combustible, inflammable, explosive or dangerous articles; the exhibition of fireworks, the discharge of cannon and firearms, and prohibit the use of slings; and regulate the use and kind of lamps and lights to be used in barns, stables, and all buildings usually regarded as extra hazardous on account of fire; to regulate, prevent and restrain the making of bonfires in streets, lanes, alleys To regulate making of bonfires. and public places; and to designate the location of all stock yards and to regulate and cause the same to be moved to such localities. All buildings, factories, shops and establishments of the kinds mentioned in this paragraph, now existing, or hereafter to be constructed in said city, together with blacksmith shops, steam boiler factories, carpenter shops, planing establishments, and all buildings usually regarded as extra hazardous in respect to fire, shall be subject to such regulations in relation to their construction and management as the city council may make with a view to the protection of persons and property from fire, or for the preservation of the health and safety of the inhabitants of said city, and to prevent them from becoming in any way nuisances; Regulations relative to construction of buildings, factories, etc.

Fifth. To prohibit and prevent obstructions and incumbrances in the public highways, streets, and alleys, and to remove the same; to prohibit encroachments on any public street, highway or alley, and to punish those who shall obstruct, encumber, encroach, or maintain any encroachment upon any street, highway or alley, in said city and to require To prevent and prohibit obstruction of highways, etc.

all such persons to remove every such obstruction, incumbrance or encroachment; to regulate and prohibit the placing of signs, goods, wares, merchandise, boxes, vegetables or other materials on public sidewalks; to regulate and prohibit the suspension of signs, banners, advertisements and devices in, over, across and upon any public street or alley, and to regulate the suspension of awnings; to regulate or prohibit all such sports, amusements, proceedings and gatherings of crowds in the streets as may interfere with the lawful use thereof, or regular [render] travel or passage therein inconvenient or unsafe; to regulate, prohibit or prescribe the manner of placing telegraph poles or poles of any kind in the public streets or grounds; to regulate the manner of making all openings in the removal of the soil of public streets for the laying or repair of sewers, drains, tunnels, gas pipes, water pipes or for any other purpose, and said council may prevent all such removals and openings of the soil, except by express permission of the city council and at such times and upon such terms and regulations as they may prescribe; to prevent any wilful injury to the streets, sidewalks, crosswalks and gutters; and to prohibit, prevent and remove and abate all nuisances in the public streets, alleys, highways and public grounds, and to require the authors and maintainers thereof to remove the same; and generally, to prescribe and enforce all such police regulations over and in respect to the public streets as may be necessary to secure good order and the safety of persons and property in the lawful use thereof;

Fast driving,
etc.

Sixth. To require all horses or other animals attached to any vehicle, or standing in any of the streets, lanes, alleys or public places in said city to be securely fastened, held or watched; to prevent horse racing, immoderate riding or driving or bicycling in any street, lane or alley, to provide or regulate a place or places for hitching teams in said city, to erect and maintain suitable hitching posts; to prevent or regulate the ringing of bells and crying of goods and other commodities, or other disturbing noises in the streets, lanes, alleys, or in any public place, or on private property adjacent thereto;

To erect and
maintain
hitching
posts and
regulate
ringing of
bells.

Street light-
ing, to pro-
vide for.

Seventh. To provide for and regulate the lighting of streets, alleys and public places, and to provide for the protection and safety of public lamps and property used for, and in connection with any system of lighting; to employ suitable persons to superintend the same, and to fix their compensation; to provide for and regulate the planting of shade trees, and other ornamental trees in the public streets, highways, avenues and parks of said city, and protect the same from injury and destruction; and to compel all persons to keep sidewalks in front of, or adjoining premises owned or occupied by them, clear from snow, ice, dirt and other obstructions;

Shade trees,
to provide
for, etc.

Eighth. To permit the construction and operation of street railways in said city, to regulate the same and determine and designate the route and grade thereof; and to regulate the use and speed of locomotives, engines and cars upon railroads within said city, and to compel the railroad companies, their officers, agents, managers and employers to station flagmen at street crossings and to build gates thereat for the protection of the public, and to prescribe the length of time that engines and cars may stand on said street or said crossings, or otherwise obstruct them, and to prohibit the same and to declare and determine the length of time after which the obstruction of such street crossings by railroad cars or locomotives shall be a nuisance, and to make such other rules and regulations concerning the same as to secure the safety of the citizens or other persons, and to provide penalties for the violation of this provision by railroad companies, their officers, agents, managers and employers;

Street rail-
ways.

Railroads.

Ninth. To establish and regulate one or more pounds, and to prevent the running at large of horses, cattle, swine and other animals, geese, chickens, turkeys and other fowls, and to authorize the impounding and sale of the same for the penalty incurred and the cost of keeping and impounding; and to prohibit and prevent the running at large of dogs, and to require them to be muzzled, and to authorize them to be killed when running at large in violation of any ordinance, and to prohibit any person from placing, exposing or administering any poison to any fowl, dog or other animal, and to punish them therefor;

Pounds.

Dogs.

Tenth. To provide for the sealing of weights and measures; to enforce the keeping and use of proper weights and measures by vendors; to regulate markets, the vending of hay, wood, meats, vegetables, fruit, fish, grain, provisions of all kinds and other goods or property in the streets, alleys and public places, and to provide or prescribe stands for exposing the same for sale, to provide for the inspection and weighing and measuring of meats, poultry, fish, butter, cheese, lard, vegetables, flour and other provisions, brick, lumber, wood, coal, hay and other articles of merchandise; and to regulate, license and tax hotels, houses of public entertainment, restaurants, eating houses, and all saloons where intoxicating liquors are sold or kept for sale;

Weights and
measures.

Markets.

Inspection of
meat.

Hotels, etc.

Eleventh. To regulate or prohibit bathing in any public place; to provide for clearing the lakes, ponds and streams within the limits of said city of all drift wood and nauseous matter; to prevent the depositing therein of any filth or any other matter tending to render the waters therein impure, unwholesome and offensive, or drawing the water therefrom at such times and to such extent as to make localities near them unhealthy, or to cause the atmosphere in their vicinity to be unwholesome or offensive; to prohibit any person from bringing into said city or depositing, or suffering to remain

Bathing in
public places,
to regulate.

	therein, any dead carcass, or other unhealthy or unwholesome substance; to compel the removal or destruction of all putrid meats, fish and offensive vegetable matter;
Erection of buildings, etc.	Twelfth. To prevent the erection of buildings in an unsafe manner, and to pass all necessary regulations in relation to all buildings deemed unsafe, to cause to be torn down and removed, all buildings and structures that may be liable
Private drains.	to fall, and endanger life, limb or property; to regulate the construction of private drains, vaults, cisterns, areas, hydrants, sewers, gutters, sinks, cess-pools and privies; to compel the owner or occupant to fill up, drain, cleanse, relay and repair the same, or to cause the same to be done by some proper city officer, and to assess the expenses thereof on the lot or premises having such building, structure, private
Partition fences and walls.	drain, sink, cess-pool or privy thereon; to determine and regulate the construction of division or partition fences, and of partition walls, the walls of buildings and their thickness;
Chimneys, etc.	to regulate the construction of chimneys, hearths, fireplaces and firearches, ovens, and the putting up of stove pipes, kettles, boilers or any structure or apparatus that may be dangerous in causing and promoting fire; to compel and regulate the cleaning of chimneys, flues and to fix the fees therefor;
Ash houses.	to compel and regulate the construction of ash-houses for depositories to guard against fires; to compel the owners of buildings to have scuttles in the roof thereof and ladders leading thereto; to authorize the proper officers to examine all buildings and enclosures, to discover whether the same are in a dangerous and unwholesome state, and to cause such as are dangerous and unwholesome to be put in a safe and wholesome condition; to authorize the officers of the city to keep all suspicious persons away from the vicinity of fires and to compel persons to aid in the extinguishment of fires and in the preservation of property exposed therefrom;
Suspicious persons in vicinity of fires.	
Water works, to establish, etc.	Thirteenth. To establish, provide and regulate water-works; to prevent the waste of water, and to regulate and control the use thereof; to provide for and regulate connections with the water pipes and mains in said city, and to punish for all unauthorized connections and interference with the same, and to approve or reject the water rates and charges for the use of water fixed by the board of public works, and to provide for the collection of the same;
Disturbance of public meetings, etc.	Fourteenth. To prevent and punish the disturbance of any religious meeting, congregation or society, or other public meeting assembled for any lawful purpose, and to prevent and punish for assembling and loitering about churches during the progress of any religious meeting or at the close thereof;
Police officers.	Fifteenth. To prescribe the powers and duties of police officers where not specially defined by this act; to require them to be uniform; to fix and regulate the compensation of all officers of the city in cases not herein otherwise fixed

or determined by some law of this State, and to fix and regulate the fees of justices of the peace, jurors and witnesses in any proceeding under this act not herein otherwise fixed or regulated by law;

Fees of
justices of
peace.

Sixteenth. To erect and provide for the erection of all needful buildings and offices for the use of the city, and to control and regulate the same, and to provide for printing and publishing matters provided to be printed and published under this act by the order of the city council;

To erect
needful
buildings, etc.
Printing and
publishing.

Seventeenth. To prevent persons not passengers or employes from jumping on and off cars;

Jumping on or
off cars.

Eighteenth. To prohibit and prevent all persons from bringing to the city from any other place, any pauper or other person likely to become a charge upon said city;

Paupers.

Nineteenth. To provide for the registration previous to any charter or general election of the electors of the city;

Registration.

Twentieth. To regulate and license auctioneers, and the sale of all goods, wares and personal property at auction, except in cases of sales authorized by law, and to fix the fee to be paid by the auctioneers; to regulate or prohibit the sale of live animals at auction in the streets, alleys or any public place within the city; to regulate the sale of goods, wares, property or anything at auction, or by any manner of public bidding or offers or bidding or calling down; and to license and regulate draymen and truckmen, porters, runners or solicitors for hotels, drivers of hacks, cabs, omnibuses, carriages, sleighs, express vehicles and vehicles of every other description used or employed for carrying persons or property for hire, and to regulate their rates of fare and compensation, and to prescribe stands for the same; to license hawkers, peddlers and pawnbrokers, and hawking and peddling, and to regulate, license or prohibit the sales or peddling of goods, wares, merchandise or any kind of property by persons going about from place to place in the city for that purpose, or from stand, cart, vehicle, or other device in the streets, highways, alleys, or in or upon any public grounds or buildings in said city; to regulate, license, restrain and prohibit all sports, amusements, exhibitions of natural or artificial curiosities, caravans, circuses, menageries, theatrical exhibitions, shows, and all exhibitions of trials of skill for which money or other reward is demanded or received; lectures on historic, literary and scientific subjects excepted: Provided, That no exclusive permits or privileges shall be granted by the council to any person or persons, or to any corporation for any purpose whatever.

Licenses, to
regulate.

Peddlers, etc.

Sports, ex-
hibitions, etc.

Proviso.

SEC. 21. The city council may prescribe the terms, conditions and time, not exceeding one year, upon which licenses may be granted, and direct the manner of issuing and registering the same, and by what officer they shall be issued and revoked, and prescribe the amount of money that shall be paid

To prescribe
terms for
granting
licenses.

Not transferable.

therefor. Licenses shall not be transferable. Every license shall be revokable [revocable] by the council at pleasure; and when any license shall be revoked for non-compliance with the terms and conditions upon which it is granted, or upon any violation of any ordinance or regulation, the person holding such license shall, in addition to all other penalties imposed, forfeit all payments made for such license. The city council may provide for punishment by fine or imprisonment, or both, if [of] any person who, without a license shall exercise any occupation or trade, or do anything for or in respect to which any license shall be required by any ordinance or regulation of said council or by this act. All sums received for licenses granted for any purpose by the city under its authority shall be paid into the city treasury to the credit of the general fund.

May provide penalties.

Railroad companies, etc.

SEC. 22. The city council of said city shall have authority to permit any railroad company to lay its track and operate its road with steam locomotives in or across the public streets or highways, or alleys of said city as said council may deem expedient upon such terms and conditions, and subject to such regulations to be observed by the company, as the common council may require; and to prohibit the laying of such track or operating of any such road except upon such terms and conditions.

Power of council as to railroad companies.

SEC. 23. The city council shall have power to require and compel any railroad company, and any street railway company, to make, keep open, and repair, such ditches, drains, sewers and culverts, along, under and across their railroad tracks as may be necessary to drain their grounds and right of way properly, and in such manner as the common council may direct, and so that the natural drainage of adjacent property shall not be impeded. If any such railway company or street railway company shall neglect to perform any such requirement, according to the direction of the said council, said council may cause the work to be done at the expense of said company, and the amount of such expense may be collected of such company at the suit of the city of Ishpeming, in a civil action brought before any court having jurisdiction of the case.

Cemeteries and grounds.

SEC. 24. The common council may for the use of the city, acquire and hold by purchase or otherwise, control and regulate such cemeteries and grounds for cemeteries or public burial places either within or without the limits of the city as in the opinion of the city council shall be necessary for the public welfare. Such council shall have power to order the use for burial purposes of any burying ground or cemetery belonging to the city, to be discontinued whenever they shall deem the same advisable; and to provide for the return of bills of mortality and burial statistics; to regulate the burial of the dead, and make such regulations as it deems advisable in relation to funerals so as to prevent the spread of contagion therefrom.

SEC. 25. The common council may keep and maintain a public library for the use of the public, and may raise money by taxation to maintain and support the same; the money for such purpose shall be voted by the common council as a part of its annual appropriation bill hereinafter provided for, and the taxes so raised may be spread upon the tax roll in a separate column if the council so directs, otherwise they shall form a part of the contingent taxes and be spread as a part of such tax. Said library shall be under the control and management of a library board consisting of three citizens who are not members of the common council. During the month of April, nineteen hundred one, or as soon thereafter as practicable, the common council shall appoint three qualified persons to be members of the said board, one of whom shall hold his office for one year, one for two years and the other for three years from the first Monday in May, nineteen hundred one. Each year thereafter during the month of April, or as soon thereafter as practicable, the common council shall choose one member of said board to succeed the member whose term of office has expired, and who shall hold his office for three years from the first Monday in May of said year. Said board shall purchase all books for the library and appoint a librarian whose salary shall be fixed annually by said board, but they shall expend no money in excess of the amount appropriated by the common council for the support of the library.

Council may maintain public library.

Library board.

Term of office.

SEC. 26. The common council, in addition to the powers heretofore granted, shall have authority to enact all ordinances, and make all regulations consistent with the laws and statutes of this State which they may deem necessary to carry into effect the powers in the act conferred, and for the safety, order and good government of the city and the general welfare of the inhabitants thereof, and the protection of property therein, and to alter, amend and repeal the same at pleasure, and to enforce the same or any ordinance passed under the authority of this charter by suitable fine, penalty, costs or imprisonment or by both such fine and imprisonment and costs.

Additional powers.

SEC. 27. No ordinance or resolution passed by the common council authorizing any public improvement, or concerning the same, or for payment of money by the treasurer shall have any force or effect if on the day of its passage, or the next day thereafter, the mayor or other officer legally discharging the duties of mayor, shall lodge in the office of the recorder a veto thereof in writing, accompanied by a statement in writing of his reasons why the same shall not go into effect, unless the council shall, at a subsequent meeting thereof pass said ordinance or resolution over the veto by the affirmative vote of two-thirds of all the aldermen then in office, and if so repassed, it shall go into effect according to

Effect of mayor's veto.

the terms thereof. For the purpose of permitting a filing of said veto and reasons, no ordinance or resolution of the kind described in this section shall take effect until midnight of the day next succeeding the day of its passage. It shall be the duty of the recorder to communicate to the council at the next meeting thereof any papers filed with him pursuant to the provisions herein.

Not to be
interested
in contracts,
etc.

SEC. 28. No member of the common council shall, during the period for which he is elected or appointed, be competent to hold any office of which the emoluments are paid from the city treasury, or paid by fees directed to be paid by any act or ordinance of the common council, or be directly or indirectly interested in any contract, job, work or service or in the profits thereof as principal or agent or employe of any principal or as surety or otherwise, the expense or consideration whereof is to be paid under any ordinance of the common council, nor shall he receive in any manner, any direct pecuniary benefit from such contract. Nor shall any officer of the corporation be interested directly or indirectly in the profits of any such contract, job or service, other than official services to be performed for the corporation for the purpose of which he holds his office or which he may be required or directed to perform by the common council. Any member of the common council or any officer of said city herein specified, who shall offend against the provisions of this section, shall upon conviction thereof, be fined not less than one hundred dollars, nor more than one thousand dollars, or he shall be imprisoned in the county jail not less than one month or more than six months or both, in the discretion of the court and shall forfeit his office.

Penalty.

CHAPTER X.

Duty of
assessor.

SEC. 16. The city assessor shall in each year, on or before the third Monday in June, make and complete an assessment of all the real and personal property within the city, liable to taxation under the constitution and laws of this State, and of all the property of any person liable to be assessed therein, as of the first Monday in May in the same manner as is required by law for the assessment of property in the townships of this State, and in so doing, in all respects, as near as may be, conform to the provisions of the law governing the powers and duties of supervisors in the townships of this State, in the assessment of property and the levying of taxes, and the issue of warrants for the collection and return thereof.

Board of
review, who to
constitute.

SEC. 17. The members of the common council, or a majority of them when assembled at the common council room for that purpose, shall constitute the board of review of assessments, and they shall, as such board, perform all the duties and

possess all the powers of boards of review in townships under the general laws of this State. Said board of review shall meet on the Tuesday next following the third Monday in June, and on that day, and the day following, if necessary, perform such duties and exercise such powers as are vested in boards of review in townships to be exercised at their first meeting now held on the Tuesday next after the first Monday in May. Said board shall meet again on the fourth Monday in June and continue in session from day to day until the review of the assessment roll is complete and exercise the duties and powers exercised by township boards of review at their second meeting now held on the fourth Monday in May. Notice of said last mentioned meeting shall be posted in two public places in each ward of the city for six days preceding the day of meeting.

Time of
meeting.

When and
where notice
to be posted.

CHAPTER XIV.

SEC. 9. The said board shall annually in the month of June, fix and assess the water rates to be paid for having and using water from said works for the next year ensuing the first day of July; said rates shall be based as near as may be upon the water consumed or used by the owner or occupant of each house, building or lot using water. Such water rates shall from and after the first day of July, be a continued lien until paid, upon the lots, real estate or premises on which the water is used and rates assessed: Provided, That the rates so fixed by the board of public works shall have no force or effect until their action has been approved by the common council, and in case the common council shall not approve such rates, the water rates last theretofore fixed and approved, shall continue in force until such time as the board of public works and the common council shall agree upon changing any or all of them.

When to fix
water rates.

Water rates
become lien.

Proviso.

SEC. 11. It shall be the duty of said board as often as once a month to pay into the city treasury to the credit of said water fund, all moneys received by it for water rates or from any other source, and to file monthly a detailed statement thereof with the city recorder, and the said board shall make such reports and furnish such information to the common council as that body shall by resolution or ordinance prescribe.

Duty of board.

SEC. 16. The board of water commissioners is hereby constituted a board of public works, and as such they shall have full charge and entire authority over all public works carried on by the city now or hereafter. They shall have power, and it shall be their duty to direct and oversee on the part of the city, the laying of gas and other pipes in the streets and alleys, the construction of street railway tracks, the erection of telegraph, telephone and other poles in the streets, alleys,

Water com-
missioners
to become
board of
public works.
Power and
duty of,
relative to
gas pipes,
etc.

and public places of the city. They may direct where such poles shall be placed so as to cause the least inconvenience and injury to public travel and adjacent property owners, and shall supervise the putting up of all other street structures. They shall oversee the erection of buildings within the fire limits of the city and see that they conform to the ordinances of the common council in all respects. They shall have the care and management of the improvement of public parks. Said board of its own motion shall have full power, and it shall be its duty to keep the streets, alleys, sidewalks, crosswalks, gutters and sewerage system of the city in good repair and fit for travel, and clean or cause to be kept clean, all streets and alleys of the city. Said board shall also have full charge of, and authority over, the work of constructing, improving, maintaining and extending streets and sewers. The street commissioner shall be under the instruction of the board of public works in the general discharge of his duties.

May employ
superintendent
and clerk.
Proviso.
Compensation.
Proviso.

Sec. 17. The board of public works shall have authority to employ a superintendent and a clerk: Provided, That if it is thought advisable, the two positions may be held by one individual. The compensation of the superintendent and clerk shall be fixed by the board of public works: Provided, Their action in fixing such compensation shall have no force or effect until it has been approved by the common council, and in case the common council shall not approve such action, the superintendent and clerk shall receive such compensation as had been last theretofore fixed by the board of public works and approved by the council, until such time as said board and the common council shall agree upon a change therein.

This act is ordered to take immediate effect.

Approved March 28, 1901.

[No. 357.]

AN ACT to determine the territory to be embraced in, and to reorganize the school districts of the township of Marion in Osceola county.

The People of the State of Michigan enact:

Territory
incorporated
in district
number one.

SECTION 1. That all of sections twenty-three and twenty-four, the north half of section twenty-six, the north half of section twenty-five, and the west half of the southeast quarter of section twenty-five, town twenty north of range seven west, is hereby detached from school district number six of the township of Marion in Osceola county, and the said fore-

going detached territory together with all of sections thirty-five and thirty-six, the south half of section twenty-six, the southwest quarter of section twenty-five, and the east half of the southeast quarter of section twenty-five, town twenty north of range seven west, is hereby erected and organized into a school district, to be known as school district number one of the township of Marion.

SEC. 2. All of section two, town twenty north of range seven west, is hereby detached from school district number eight, and the south half of section fourteen is hereby detached from school district number six of said township of Marion, and said territory hereby detached together with sections one, eleven, twelve and thirteen, and the north half of section fourteen, town twenty north of range seven west, is hereby erected and organized into a school district to be known as school district number two of the township of Marion. District number two.

SEC. 3. The west half of the west half of section sixteen, town twenty north of range seven west, is hereby detached from school district number seven, and the west half of the southwest quarter of section nine of said town, is hereby detached from school district number eight, and the south half of section eight of said town and range is hereby detached from school district number five, and the above described territory detached from school districts number seven and five, together with all of sections seventeen and eighteen, the north half of section nineteen, the northwest quarter and the west half of the northeast quarter of section twenty, town twenty north of range seven west, is hereby erected and organized into a school district to be known as district number three of said township of Marion. Number three.

SEC. 4. The west half of section thirty-three, town twenty north of range seven west, is hereby detached from school district number seven, and the north half of the south half of section nineteen, the southwest quarter and the west half of the southeast quarter of section twenty of said town and range, is hereby detached from school district number three of said township of Marion, and said described territory so detached, together with all of sections thirty, thirty-one and thirty-two, and the south half of the south half of section nineteen and the west three-fourths of section twenty-nine of said town and range, is hereby erected and organized into a school district to be known as school district number four of said township of Marion. Number four.

SEC. 5. The west three-fourths of section five, the north half of section six, the northwest quarter and the west half of the northeast quarter of section eight, town twenty north of range seven west, is hereby detached from school district number five of said township of Marion, and the said territory so detached together with all of section seven and the south half of section six of said town and range, are hereby attached Fractional district number nine.

to and made a part of a fractional school district to be known as fractional school district number nine of the townships of Marion and Highland.

District num-
ber six.

SEC. 6. The east half of the east half of section five, and the east half of the northeast quarter of section eight, town twenty north of range seven west, is hereby detached from school district number five of said township of Marion, and said detached territory together with all of sections three, four and ten, the north half and the east half of the southwest quarter and the southeast quarter of section nine, of said town and range, is hereby erected and organized into a school district to be known as school district number six of the township of Marion.

Number
seven.

SEC. 7. Section thirty-four, town twenty north of range seven west, is hereby detached from school district number one of said township of Marion, the southeast quarter of section fifteen is also detached from school district number six of said town and range, the northeast quarter of section fifteen of said town and range, is hereby detached from school district number two of said town of Marion, the east half of the southeast quarter, and the southeast quarter of the northeast quarter of section twenty-nine, of said above town and range, is hereby detached from school district number four of said town of Marion, and the east half of the northeast quarter of section twenty of said above town and range, is detached from district number three of said town of Marion, and the above described territory detached as aforesaid, together with all of sections twenty-one, twenty-two, twenty-seven and twenty-eight, the east half of section thirty-three, the northeast quarter of the northeast quarter of section twenty-nine, the east half of the southeast quarter of section twenty, the east three-fourths of section sixteen, and the west half of section fifteen of said above town and range, is hereby erected and organized into a school district to be known as school district number seven of said township of Marion.

Right and
title to vest
in district
number one.

SEC. 8. School district number one of the township of Marion in Osceola county as heretofore organized and existing is hereby disorganized and discontinued, and all school houses and school house sites, together with the furniture, library, property, effects and estates real and personal, of said school district number one, and all moneys, debts and demands, belonging to or due or owing, or to become due or owing to said district as heretofore existing, are hereby declared to be the property of school district number one as hereby by this act reorganized; and all bonds, debts and obligations of said district number one as heretofore existing, shall become and are hereby declared to be the debts, dues and obligations of said district number one as by this act reorganized.

Officers to
continue in
office.

SEC. 9. The members of the present school board of district number six of said township of Marion, shall constitute and remain the school board of school district number one

as the same shall exist hereunder during their respective terms of office, and until their successors are duly elected and qualified under the general school laws of this State.

SEC. 10. School district number five as heretofore organized, is hereby disorganized and discontinued, and all school houses and school house sites, together with the furniture, library, property and effects and estates, real and personal of said school district number five, and all moneys, debts and demands belonging to or due or owing, or to become due or owing to said district as heretofore existing, are hereby declared to be the property of fractional school district number nine of the townships of Marion and Highland, as hereby by this act reorganized; and all bonds, debts and obligations of said district number five as heretofore existing, shall become and are hereby declared to be the debts, dues and obligations of said fractional school district number nine of said townships of Marion and Highland as by this act reorganized.

Right, title, etc., of district number five, to vest in number nine.

SEC. 11. The members of the present school board of fractional school district number nine of said township of Marion, shall constitute and remain as the school board of fractional school district number nine of the townships of Marion and Highland as organized by this act, during their respective terms of office, and until their successors are duly elected and qualified under the general school laws of this State.

School board to continue in office.

SEC. 12. School district number eight of the said township of Marion as heretofore existing, is hereby disorganized and discontinued, and all school houses and school house sites, together with the furniture, library, property, effects and estate, real and personal, of said school district number eight, and all moneys, debts and demands belonging to or due or owing to or to become due or owing to said district as heretofore existing, are hereby declared to be the property of school district number six as by this act reorganized, and all bonds, debts and obligations of said district number eight, as heretofore existing, shall become and are hereby declared to be the debts, dues and obligations of said district number six of said township of Marion, as by this act reorganized.

Right and title to vest in number six.

SEC. 13. The members of the present school board of school district number eight of said township of Marion, shall constitute and remain the school board of school district number six as the same shall exist under the terms of this act, during their respective terms of office, and until their successors are duly elected and qualified under the general school laws of this State.

Officers to continue in office.

SEC. 14. The members of the present school boards of school districts number two, three and four, and the board of trustees of school district number seven, shall be and remain the school boards of their respective school districts as the same shall exist hereunder during their respective

Present school boards to remain in office.

terms of office, and until their successors are duly elected and qualified under the general school laws of this State.

This act is ordered to take immediate effect.

Approved March 28, 1901.

[No. 358.]

AN ACT to amend section forty, chapter eleven of act number three hundred twenty-six of the local acts of eighteen hundred eighty-three, entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section forty, chapter eleven of act number three hundred twenty-six of the local acts of eighteen hundred eighty-three, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," is hereby amended to read as follows:

Tax levy for
celebrations,
etc.

SEC. 40. The common council shall have power to annually levy, assess and collect on the assessed value of all real and personal estate in said city, made taxable by the laws of this State, a sum not exceeding two thousand dollars, for the purpose of defraying the costs and expenses of receptions, entertainments and celebrations to be expended from time to time therefor in such manner as the common council shall by resolution direct: Provided, That for the fiscal year beginning July first, nineteen hundred one, the council shall have power to levy, assess and collect, in the manner and for the purposes hereinbefore indicated, a sum not exceeding twenty-seven thousand dollars.

Proviso.

This act is ordered to take immediate effect.

Approved March 28, 1901.

[No. 359.]

AN ACT to incorporate the Detroit Library Commission, and to provide means for acquiring land and the construction of a public library building or buildings thereon, and the maintenance of the same.

The People of the State of Michigan enact:

SECTION 1. That the persons now in office and constituting the Detroit library commission are hereby named, constituted and continued as a board of commissioners of the Detroit public library, and they, and their successors in office, shall be known by the name of the "Detroit library commission," and in their corporate name are hereby empowered to take and hold by purchase, condemnation, gift, devise, bequest or otherwise, such real and personal property as may be needful or convenient for carrying out the intents and purposes of this act, to make contracts and to establish all reasonable rules and regulations to protect the rights of property vested in the board, and to aid in the performance of the duties imposed upon it. Said commission may adopt and have a common seal, may sue and shall be subject to be sued in all courts of record in like cases as natural persons. The property of the Detroit library commission shall be exempt from all taxes and assessments of every kind; no writ of attachment or writ of execution shall be levied upon the property of said board. One member of said Detroit library commission shall be elected annually in place of the member whose term of office expires in that year, by the board of education of the city of Detroit; vacancies for any cause may be filled at any time by the election by the board of education of a person to fill such vacancy. Members of said Detroit library commission shall not be members of the board of education, except in cases hereinafter mentioned, and when elected shall be clothed with all the powers for the management and control of the library now vested in the board of education or present commission. The terms of office of said commissioners elected by the board of education shall be six years. The president of the board of education shall be ex officio a member of said commission, and the treasurer of said board of education shall be ex officio treasurer of said commission, and shall have the custody of the moneys of said commission, subject to its disposal. Said commission shall have the power to enter into contracts for and supervise the construction of any library building or buildings, also to take such action by contract or otherwise as may be necessary, to provide for the maintenance of said library buildings and library, and may appoint, remove or otherwise control all persons employed in such library, and fix their compensation from time to time, in their discretion, and may appoint such officers as they deem necessary for the purposes of said commission.

Body corporate, name, etc.

May have seal.

Member, how and when elected.

Vacancies.

Terms of office.

May make contracts, etc.

May appoint officers.

Council may borrow money and issue bonds for library purposes.	<p>SEC. 2. The common council of the city of Detroit is hereby authorized to borrow a sum of money not exceeding one million dollars on the faith and credit of said city, and upon the best terms that can be made, and to issue bonds of said city to an amount not exceeding that sum, pledging its faith and credit for the payment of the principal and interest, but said bonds shall not be negotiated at less than their par value. Said bonds shall be denominated "public library bonds of the city of Detroit," and shall be regularly dated and numbered in the order of their issue, and shall be for sums of not less than five hundred dollars each, and shall bear interest not exceeding four per cent per annum, and shall be payable in thirty years from date. They shall be issued under the seal of the city, signed by the mayor and countersigned by the controller. The controller shall keep an accurate record of said bonds showing the class of indebtedness to which they belong, the number, date and amount of each bond; its rate of interest, when and where the same is payable, and the person to whom it is issued or any transferee thereof. No bonds shall be issued under this act until the issue of the same shall have been authorized and approved by the board of estimates of the city of Detroit. Such money shall not be borrowed, nor such bonds issued, unless a majority of the qualified electors of the city of Detroit, voting at any general election to be held, in said city, voting on the question of said loan shall so determine, and the common council of said city is hereby authorized and required to give notice of submitting the question of said loan to the qualified electors of said city, by giving due notice thereof, causing the date, place of voting, and object of said election to be stated in a printed or written notice and posted in six public places in each voting precinct in said city, not less than six days before said election, and publishing the same in one or more of the daily papers published in said city for three days prior to said election, which notice shall state the amount of money proposed to be borrowed, the amount of bonds to be issued, and the purpose thereof; and it is hereby made the duty of said common council to cause said question to be duly submitted and to do any and all other legal acts which may be necessary for the proper and legal submission thereof. Such proposition shall be submitted in the following manner; the same being printed upon the official ballots for said election, or upon special ballots, if so ordered by the common council. The wording wherein such proposition shall be submitted shall be as follows: For issuing library bonds, Yes... For issuing library bonds, No... The election shall be conducted and the votes canvassed and returns made, in all respects, as the aforesaid election held in said city is by law required to be conducted, and immediately upon the conclusion of such canvass, the board of canvassers shall make and sign certificate showing the whole number of votes cast upon such proposition, and</p>
How denominated, numbered, etc.	
Interest.	
How issued and signed.	
Who to approve issue.	
Electors to determine.	
Who to give notice of election.	
How posted and published.	
Notice, what to state.	
Proposition, how submitted.	
Form of ballot. Election, how conducted.	

the number for and against the same respectively; such city canvassers shall endorse upon the certificate, and declare in writing the result of such election; such certificate and declaration shall then be filed with the city clerk, and entered and attached upon the records of said city, and a copy of said certificate and declaration, certified to by the city clerk, shall be filed by him with the controller of said city.

SEC. 3. In order to provide a sinking fund for the redemption of the bonds provided for in the preceding section, the common council shall have power, and it shall be its duty, to raise by taxation, in each year, upon the property assessed for city purposes, within said city, a sum equal to two and one-half per cent of the amount of said bonds issued under the provisions of this act, which sum, when raised, shall be paid into the sinking fund of said city, for the purposes aforesaid. The principal realized from the issue and sale of said bonds shall be paid to the treasurer of said commission for the purposes hereinbefore mentioned, and shall be applied exclusively to the purpose of acquiring sites and the construction of public library buildings, and the maintenance of public libraries in the city of Detroit, and shall be drawn from the said treasury on the order of the Detroit library commission, and the premium and accrued interest, if any, shall be credited to the sinking fund.

Council may provide sinking fund.

Money realized from bonds, how paid and applied.

SEC. 4. A special library tax of one-fifth of one mill on the dollar on property assessed for city purposes shall be levied each year, with the other city taxes, and paid over to said commission.

Special mill tax.

SEC. 5. The Detroit library commission is hereby authorized to take private property for the use and benefit of the Detroit public libraries, within the limitations of the State constitution, and to institute and prosecute proceedings for that purpose.

May take private property.

SEC. 6. Such proceedings may be commenced and prosecuted under this act, whenever the Detroit library commission shall have declared a new public library building a public necessity in the municipality, and shall declare that they deem it necessary to take private property, describing it, for such public improvement, designating it; and that the improvement is for the use and benefit of the public; and they shall, by resolution, direct the corporation council of the city of Detroit to institute the necessary proceedings in behalf of the said Detroit library commission, in the proper court, to carry out the object of the resolution in regard to taking private property by the said board of education. Jurisdiction is hereby conferred upon the recorder's court of the city of Detroit in all cases brought under this act.

Proceedings, how commenced.

Court to have jurisdiction.

SEC. 7. The secretary of the Detroit library commission shall make and deliver to such corporation counsel, as soon as may be, a copy of such resolution, certified, and under

Resolution to be delivered to council.

Duty of counsel.	seal, and it shall be the duty of such corporation counsel to prepare and file in the name of the Detroit library commission, in the court having jurisdiction, a petition signed by him, in his official character, and duly verified by him, or by
Evidence of passage of resolution.	some person having knowledge of the facts; to which petition a certified copy shall be prima facie evidence of the action taken by the Detroit library commission, and of the
Petition, what to state.	passage of such resolution. The petition shall state among other things, that it is made and filed as commencement of judicial proceedings by the Detroit library commission in pursuance of this act, to acquire the right to take private property for the use and benefit of the public schools of said city without the consent of the owners, for a public improvement, designating it, for a just compensation to be made. A description of the property proposed to be taken shall be given, and generally, the nature and extent of the use thereof, that will be required in making and maintaining the improvement shall be stated, and also the names of the owners and others interested in the property, so far as can be ascertained, including those in possession of the premises. The petition shall also state that the Detroit library commission has declared such new school building, or addition to old school buildings, to be a necessity, and that they deem it necessary to take the private property described in that behalf, for such improvement, for the use or benefit of the public library of said city. The petition shall ask that a jury be summoned and empaneled to ascertain and determine whether it is necessary to take such private property as it is proposed to take, for the use or benefit of the public library of said city, and to ascertain and determine the just compensation to be made therefor. The petition may state any other pertinent matter or thing, and may pray for any other or further relief to which the said Detroit library commission may be entitled within the object of this act.
Idem.	
To ask for a jury.	
Court to issue summons.	SEC. 8. Upon receiving said petition it shall be the duty of the clerk of said court to issue a summons against the respondents named in said petition, and state briefly the object of said petition, and commanding them, in the name of the people of the State of Michigan, to appear before said court at a time and place to be named therein, not less than twenty days nor more than forty days from the date of the same, and show cause, if any they have, why the prayer of said petition should not be granted.
How and by whom served.	SEC. 9. Said summons shall be served by the sheriff, under sheriff or a deputy sheriff of the county, or by any member of the metropolitan police force of the city of Detroit, at least five days before the return day thereof, upon all the respondents found within the county, by exhibiting the original and delivering a copy to each of them. If any respondent who is a resident of the county, cannot be found, the summons shall be served by leaving a copy thereof at his or her

usual, or last place of abode, with some person of suitable age and discretion. If any minor, or person of unsound mind is interested in the premises to be taken, service may be made upon the guardian of such person, if any; and if there is no guardian, the court may appoint some discreet and proper person to be guardian for such person; in such proceeding any such guardian shall have authority to represent such person in said proceedings. Proceedings to appoint such guardian shall be the same as in other cases provided by statute. If it shall appear on the return day of the summons that any respondent cannot be found in the county, and has not been served in the manner provided, and if a non-resident has not voluntarily appeared, the court may make an order requiring said respondent or respondents to appear and show cause why the prayer of the petition should not be granted on a day to be named in the order, not less than thirty days from the date thereof, and may require that a certified copy of said order be personally served upon said respondents, wherever found, if practicable, at least six days before the time named in the order for appearance, or the court may make such order for appearance and require as to any or all such non-resident respondents who shall not have been served and have not appeared, that service be made by publishing a certified copy of such order for three successive weeks, at least once in each week, in at least one newspaper published within the municipality; the last publication to be at least six days before the date fixed in the order for appearance. Alias and pluries summons may be issued and the court may adjourn proceedings from time to time, as there shall be occasion to, as in any other civil cases. Service of such order in either mode prescribed shall be sufficient notice to bind the respondents, and the property represented by them. The return of the officer upon the summons and an affidavit of the due service of publication of the order for appearance, if any, shall be filed in the clerk's office before a jury shall be empaneled, and be sufficient evidence of service on the respondents and of the manner of service.

Upon minor or person of unsound mind.

Proceedings for appointment of guardian. Power of court relative to non-appearance of respondents.

Service by publication.

Alias and pluries summons, may issue. Service to bind respondents.

Evidence of service.

SEC. 10. On the return day of the summons, or on some subsequent date to which the proceedings are adjourned, if no sufficient cause to the contrary be shown, the court shall make an order that a jury be empaneled in the cause. Such jury shall be composed of twelve freeholders of the municipality, and shall be selected and empaneled as follows: The sheriff, under sheriff or deputy sheriff of the county, shall on the same day, or at an adjourned day, make a list of twenty-four resident freeholders of said city, and the corporation counsel, or by an assistant, and the respondents collectively, shall each have the right to strike six names from the list of persons written down as aforesaid, and subject to objection for cause, and the twelve persons whose names are left on the list shall compose the jury for the trial of the cause, and

When court to order jury.

Who to make lists.

Number may strike from list.

How summoned to attend.
Proceedings, when respondents refuse to strike off names.

Talesman may be summoned.

Challenges not allowed.

Oath of jury.

To hear proof and allegations.

Court to instruct.

What to determine.

shall be summoned to attend at such time as the court shall direct, by a venire issued by the clerk of the court, and to be served by one of the officers aforesaid. If the respondents neglect or refuse to strike six names from said list, it shall be done by the judge of the court, and in case any of the persons to be summoned cannot be found in the county, or being summoned do not attend or shall be excused for cause or otherwise, talesmen possessing the necessary qualifications may be summoned as jurors in the cause by said sheriff or sheriff's officer, or authorized person, and the practice and proceedings under this act, except as herein provided, relative to the empaneling and summoning, and excusing the jurors and talesmen and imposing fines or penalties upon them for non-attendance, shall be the same as the practice and proceedings in the circuit courts of the State relative to petit jurors in civil cases in such courts except that preemptory challenges shall not be allowed. Every person who shall directly or indirectly ask to be placed upon said jury list shall thereby render himself ineligible to serve as a juror in said court for one year thereafter.

SEC. 11. Every jury empaneled in any cause shall be sworn as follows: You do solemnly swear (or affirm) that in the matter of taking private property for public use for the use and benefit of the Detroit library commission, you will well and truly ascertain and determine whether there is a public necessity for making the proposed improvement, and for taking for the use and benefit of the Detroit library commission the private property which the petition describes and prays may be taken, and if you determine that it is necessary, then that you ascertain and determine and award the just compensation to be made therefor, and faithfully and impartially discharge all other duties as devolve upon you in this case, and unless discharged by the court a true verdict give according to law and the evidence, so help you God. They shall hear the proof and allegations of the parties and the arguments of counsel, and if so ordered by the court shall go to the place of the intended improvement in charge of an officer, and upon, or as near as practicable to any property proposed to be taken, and examine the premises. They shall be instructed as to their duties and the law of the case by the court and shall retire under the charge of an officer, and render their verdict in the same manner as on the trial of any ordinary civil case.

SEC. 12. The jury shall determine in their verdict the public necessity for the proposed improvement, and for taking such private property for the use and benefit of the public library of said city for such proposed improvement, and in case they find that such necessity exists, they shall award to the owners of said property such compensation therefor as they shall deem just, but it shall not be necessary for them to state in their report the damages separately, but only the

net amount of damages. If any such private property taken shall be subject to a valid mortgage, lease, or agreement, and the taking thereof for such purpose will impair such security, lease or agreement, the jury shall apportion and award the owner of said mortgage, lessee or person interested in said agreement such portion of the compensation as they shall deem just, and if there are any buildings or other personal property situated on the land taken, the jury may, at the request of the owner, allow instead of damages for the value, damages and expenses for the removal thereof. The damages for taking any land belonging to the estate of a deceased person shall be awarded to said estate, and shall be paid to the executor or administrator of said estate, or if there is no such administrator or executor, or if he cannot be found, it shall be deposited with the treasurer of the board of education to the credit of said estate and be paid to the person entitled to receive the same when found.

When property subject to mortgage, etc.

In case of building, etc., on property.

Damages for lands belonging to deceased person.

SEC. 13. To assist the jury in arriving at a verdict the court may allow the jury when they retire to take with them the petition filed in the case, and maps showing the proposed improvement, and the location of each and all the parcels of property to be taken, with the names of all parties interested in such property, and may also submit to them a blank verdict, which may be as follows:

Jury may have maps, etc.

PART I.

We find that it is.....necessary to take the private property described in the petition in this cause, for the use and (or) benefit of the public library of the city of Detroit, for the proposed public improvement.

Blank verdict.

PART II.

The just compensation to be paid for such private property we have ascertained and determined and hereby award as follows:

Description of each of the several parcels of private property to be taken.	Owners, occupants and others interested in each parcel.	Compensation.	To whom payable. Form.
.....
.....
.....
.....

The different descriptions of the property and the names of the occupants, owners and others interested therein may be inserted in said blank verdict under the direction of the

	<p>court, before it is submitted to the jury, or it may be done by the jury.</p> <p>SEC. 14. The verdict of the jury may be set aside by the court and a new trial ordered as in civil cases in the circuit courts in this State, and amendments either in form or substance may be allowed in any paper, petition, process, record or proceeding, or in the description of the property proposed to be taken, or the name of any person, whether contained in a resolution passed by the Detroit library commission of the city of Detroit, or otherwise, whenever the amendment will not interfere with the substantial rights of the parties.</p> <p>Any such amendment may be made after as well as before judgment confirming the verdict of the jury.</p> <p>SEC. 15. Any person whose property may be taken considering himself aggrieved may appeal from the judgment of the court confirming the verdict of the jury by filing in writing with the clerk of said court a notice of such appeal within five days after the confirmation, and within the same time serving a copy thereof on the corporation counsel of the city of Detroit, and filing a bond in said court to be approved by the judge thereof, conditioned for the prosecution of said appeal to the judgment and the payment of all costs, damages and expenses that may be awarded against him, in case the judgment of confirmation shall be confirmed. Such appeal shall be perfected within the same time and prosecuted as an appeal in chancery, as near as may be, subject to the provisions of this act.</p> <p>SEC. 16. Said appeal may be brought on for hearing at any term of the supreme court, and said court may affirm, or for any substantial error reverse the judgment and may grant a new trial. Said court shall allow the prevailing party his reasonable costs and expenses to be taxed, and give judgment as in other chancery appeals, and all costs, damages and expenses awarded to the Detroit library commission of the city of Detroit, if it so elect, may be applied on or deducted from the compensation, if any, to be paid, or execution may issue on the judgment. Damages may be awarded against a party appealing without reasonable cause.</p> <p>SEC. 17. When the verdict of the jury shall have been finally confirmed and the time in which to take an appeal has expired, or if an appeal is taken, on filing in the court below of a certified copy of the order of the supreme court, affirming the judgment of confirmation, it shall be the duty of the clerk of the court to transmit to the secretary of the Detroit library commission of the city of Detroit a certified copy of the verdict of the jury and of the judgment of confirmation, and of the judgment, if any, of confirmation.</p> <p>SEC. 18. Within one year after the confirmation of the verdict of the jury, or after the judgment or confirmation shall on appeal be confirmed, the Detroit library commission of the city of Detroit shall set apart and cause to be provided in the treasury of the Detroit library commission of the city</p>
Verdict may be set aside.	
Amendments may be allowed.	
When made.	
Aggrieved person may appeal.	
To serve notice and file bond.	
Supreme court may affirm or reverse judgment. Costs, etc.	
Certified copy of verdict, to whom transmitted.	
When amount of verdict set aside for owners.	

of Detroit the amount required to make compensation to the owners and persons interested for the private property taken as awarded by the jury, and shall in the resolution setting apart and providing said sum direct the secretary of the Detroit library commission to draw a warrant upon the treasurer of said board for such amounts required to make compensation to the owners or person interested for the private property taken as awarded by the jury, and shall in the resolution setting apart and providing said sum direct the treasurer of the Detroit library commission to pay to the persons respectively entitled to the money so set apart and provided to each his or her proportion, as ascertained and awarded by said verdict. It shall be the duty of the treasurer of the Detroit library commission to securely hold such money for the purpose of paying for the property taken, and pay the same to the persons entitled thereto according to the verdict of the jury, on demand, and not pay out the money for any other purpose whatever. Whenever the necessary sum is actually in the treasury of the Detroit library commission for such purpose the treasurer shall make and sign duplicate certificates, verified by his oath, showing that the amount of compensation awarded by the jury is actually in the treasury for the payment of the private property taken in the case, giving the title of the case he shall cause one of the certificates to be filed in the office of the clerk of said court in which the proceedings were had, and the other to be filed with the secretary of the Detroit library commission, each certificate shall be prima facie evidence of the matters therein stated. Whenever the amount of such compensation is in the treasury, and thus secured to be paid, the Detroit library commission of the city of Detroit may enter upon and take possession of, and use such private property for the purpose for which it was taken, and may remove all buildings, fences and other obstructions therefrom. In case of resistance or refusal on the part of anyone to the Detroit library commission of the city of Detroit, or their agents and servants entering upon and taking possession of such private property for the use and purpose for which it was taken, at any time after the amount of the compensation for such is actually in the treasury ready to be paid to those entitled thereto, the Detroit library commission of the city of Detroit, by the corporation counsel, may apply to the court, and shall be entitled on making a sufficient showing, to a writ of assistance to put them in possession of the property.

When secretary to draw warrant for payment.

Duty of treasurer.

Certificates, where filed.

When commission to take possession of property.

In case of resistance.

SEC. 19. Officers, jurors and witnesses in any proceedings under this act will be entitled to receive from the Detroit library commission of the city of Detroit, instituting the proceedings, the same fees and compensation as are provided by law for similar services in an ordinary action at law in the circuit courts of this State.

Fees of jurors, etc.

Commission
may move for
new trial or
appeal to
supreme
court.

SEC. 20. The Detroit library commission of the city of Detroit shall not have power to discontinue proceedings under this act after the rendition of the verdict of the jury, but they may direct the corporation counsel of the city of Detroit to move for a new trial or to arrest proceedings, or to take an appeal to the supreme court, and in any such case the same proceedings shall be taken as are hereinbefore prescribed in the case of like proceedings on the part of any respondent, except that no bond shall be required nor shall the Detroit library commission of the city of Detroit be required to pay the fees of the clerk of the recorder's court.

Buildings,
by whom
sold, etc.

SEC. 21. In case there is on the private property taken a building or other structure, the same shall be sold by or under the direction of the Detroit library commission; the amount produced by the sale shall belong and be paid to the fund for paying the compensation awarded for the property taken: Provided, That no proceedings as above mentioned shall be taken until the board of estimates of the city of Detroit, and the common council of the city of Detroit, shall have first allowed such sum as will reasonably be supposed to cover the expenses of such proceedings.

Proviso.

Repealing
clause.

SEC. 22. All acts and parts of acts contravening the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 29, 1901.

[No. 360.]

AN ACT to amend section one of act number two hundred and ninety-two of the session laws of eighteen hundred and seventy-seven, entitled "An act to amend section one of the charter of the village of Wayland," approved March thirtieth, in the year of our Lord one thousand eight hundred and seventy-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section one of act number two hundred and ninety-two of the session laws of eighteen hundred and seventy-seven, entitled "An act to amend section one of the charter of the village of Wayland," approved March thirtieth, one thousand eight hundred and seventy-seven, be and the same is amended so as to read as follows:

Territory
embraced.

SECTION 1. So much of the township of Wayland, in the county of Allegan, as is embraced in the following described lands, to-wit: The west half of section five, the entire of section six, the north half of the north half of section seven,

and the north half of the northwest quarter of section eight, is hereby constituted a village corporate under the name of the village of Wayland.

This act is ordered to take immediate effect.

Approved March 29, 1901.

[No. 361.]

AN ACT to repeal act number two hundred and ninety-one of the local acts of eighteen hundred and ninety-one, entitled "An act to incorporate the public schools of the township of Ossineke, Alpena county," approved April twenty-first, eighteen hundred and ninety-one, as amended by act number four hundred and thirteen of the local acts of eighteen hundred and ninety-nine, approved May twenty-fifth, eighteen hundred and ninety-nine; to provide for the disposition of the property and the payment of the indebtedness of the corporation hereby dissolved, and to organize and form three separate school districts from the territory embraced within the said township of Ossineke, in the said county of Alpena.

The People of the State of Michigan enact:

SECTION 1. That act number two hundred and ninety-one of the local acts of eighteen hundred and ninety-one, entitled "An act to incorporate the public schools of the township of Ossineke, Alpena county," approved April twenty-first, eighteen hundred and ninety-one, as amended by act number four hundred and thirteen of the local acts of eighteen hundred and ninety-nine, approved May twenty-fifth, eighteen hundred and ninety-nine, be and the same is hereby repealed. Act repealed.

SEC. 2. The school houses and school property of every kind, belonging to "the public schools of the township of Ossineke," in the county of Alpena, the corporate existence of which is by this act dissolved, located within the territory embraced in each of the several school districts organized and formed under the provisions of this act, together with the furniture and fixtures of every kind belonging to each of said school houses, shall be and become the property of each of said several school districts hereby organized and formed. Disposition of property.

SEC. 3. The indebtedness of the "public schools of the township of Ossineke," in the county of Alpena, to be by such township duly paid, and until so paid, such indebtedness shall be and remain a just lien against such township. Indebtedness to remain a lien.

SEC. 4. The territory embraced in said township of Ossineke, in the county of Alpena, shall be organized and Division of territory.

	formed into three separate school districts, embracing the territory, and known by the names and styles hereinafter mentioned, viz.:
District number one.	First: All the territory embraced in township twenty-nine north, range five east, shall constitute school district number one of the said township of Ossineke.
Number two.	Second: All territory embraced in township twenty-nine north, range six east, shall constitute school district number one of the said township of Ossineke.
Number three.	Third: All territory embraced in township twenty-nine north, range seven east, shall constitute school district number three of the said township of Ossineke.
How governed.	SEC. 5. The several school districts organized and formed under the provisions of this act, shall be governed and regulated in the same manner as school districts organized and formed under the provisions of the general school laws of this State relating to the primary school system thereof, except as herein otherwise provided.
Officers to be elected.	SEC. 6. The school officers designated by the general laws of this State relative to the primary school system, and deemed necessary thereby to organize, form and maintain school districts thereunder, shall be the same under this act;
Election.	and for the purpose of carrying this act into effect, such officers shall be elected and appointed at the next township spring election, to be held in said township of Ossineke, in the county of Alpena, on the first Monday in April, nineteen hundred and one, after giving due notice of such intended or proposed election and appointment as in such case made and provided by said general school laws.
Acts repealed.	SEC. 7. All acts or parts of acts inconsistent herewith, relating to, and affecting the schools of said township of Ossineke in the county of Alpena, are hereby repealed.
	This act is ordered to take immediate effect.
	Approved March 29, 1901.

[No. 362.]

AN ACT to amend act number two hundred nineteen, of the session laws of eighteen hundred seventy-three, entitled "An act to incorporate the city of Ionia," approved March twenty-one, eighteen hundred seventy-three, and all acts and parts of acts amendatory thereto by adding one new section to stand as section one hundred eighteen.

The People of the State of Michigan enact:

SECTION 1. That act two hundred nineteen of the session laws of eighteen hundred seventy-three, entitled "An act to incorporate the city of Ionia, approved March twenty-one, eighteen hundred seventy-three, and all acts and parts of acts amendatory thereto be and the same is hereby amended by adding one new section to stand as section one hundred eighteen, and to read as follows: Act amended.

SEC. 118. The common council shall have power to incur indebtedness and pledge the credit of the city and anticipate the taxes of the year nineteen hundred one previous to the first day of July, nineteen hundred one, by borrowing not to exceed the sum of three thousand dollars in excess of the power and authority of said common council provided by section thirty-nine of the act of which this act is amendatory, for the purpose of paying the legitimate current expenses of Ionia city, which loan shall be paid out of the money collected and assessed for the same year and which said loan shall be paid on or before the fifteenth day of August of the year nineteen hundred one, and shall not after the fifteenth day of August bear any interest. May borrow money in excess of previous statutory provisions.

This act is ordered to take immediate effect.

Approved March 29, 1901.

[No. 363.]

AN ACT to annex certain territory of the township of Lenox, in the county of Macomb, in this State, to the village of Richmond.

The People of the State of Michigan enact:

SECTION 1. The following described territory in the township of Lenox, in county of Macomb, State of Michigan, be and the same is hereby annexed to the village of Richmond, and embraced within the corporated limits of the said village, viz: The north half of the southwest quarter of section one, Territory annexed to village of Richmond.

and also the north half of the southeast quarter of section two, all in town four, north of range fourteen east, lying south of the present boundary line of the said village of Richmond, said boundary line as now established across said lands being as follows, viz.: Commencing at the center post of section one, being the southeast corner of the village of Richmond, as heretofore established; thence south, along the quarter line, to the eighth line of said section one, eighty rods; thence west, along the said eighth line of sections one and two, three hundred and twenty rods, to the quarter line of said section two; thence north along said quarter line to a point intersecting the south boundary line of the said village of Richmond, all in town four, north of range fourteen east, township of Lenox, Macomb county, Michigan.

Privileges
enjoined.

SEC. 2. The territory herein described and being annexed to said village, with its inhabitants, shall have and enjoy all the rights and benefits and shall be subject to all the laws, ordinances and regulations, which shall at any time be enforced in said village, and shall be in all respects subject to its municipal government as an integral portion thereof, and liable to assessments and taxation as such and shall cease to be subject to the regulations or government of said township of Lenox: Provided however, That the annexation of said territory shall not be held to interfere with or prevent the levy, collection or disposition by said township of any tax, levy or assessment upon any of the lands hereby annexed to said village for the year nineteen hundred or previous years, for State, county, school, highway or township purposes: And provided further, That the lands and property so annexed to said village shall be listed, valued and equalized for assessment and taxation for village and all lawful purposes under the assessment of the State and the laws of this State relative to villages at the time and in the manner provided for in said laws in the year nineteen hundred and one, and each year thereafter, and the taxes and assessments thereon shall be levied, accounted for and returned as other taxes.

Proviso as to
tax levy.

Further
proviso.

Existing laws
to apply.

SEC. 3. All the provisions of law relating to said village of Richmond as they now exist and all amendments thereof hereafter made, and all pertinent provisions of law as well as all by-laws, rules, regulations and ordinances of said village of Richmond, shall apply to said annexed territory with the same effect as to all other territory within said village.

This act is ordered to take immediate effect.

Approved March 29, 1901.

[No. 364.]

AN ACT to amend section two of chapter five of act number three hundred twenty-six of the session laws of eighteen hundred eighty-three entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts inconsistent therewith," approved June seventh, eighteen hundred eighty-three.

The People of the State of Michigan enact:

SECTION 1. That section two of chapter five of act number three hundred twenty-six of the session laws of eighteen hundred eighty-three, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts inconsistent therewith," approved June seventh, eighteen hundred eighty three, be and the same is hereby amended so as to read as follows:

SEC. 2. The mayor shall be paid a salary of five thousand dollars per annum. In case of a vacancy in the office of mayor, or his being unable to perform the duties of the office by reason of sickness, absence from the city, or other cause, the president of the common council shall be acting mayor; and in case, at the same time, there shall be a vacancy in the office of president of the common council, or he shall be unable to perform the duties of his office by reason of sickness, absence from the city, or other cause, the president pro tempore of the common council shall be acting mayor. Such acting mayor shall be vested with all the powers, and shall perform all the duties, of mayor until the vacancy or vacancies aforesaid be filled, or the mayor or president of the common council, as the case may be, shall resume his office.

This act is ordered to take immediate effect.

Approved April 3, 1901.

[No. 365.]

AN ACT to vacate a part of the plat known as Gamble and Millen's addition to the village of Grand Marais, in the county of Alger.

The People of the State of Michigan enact:

SECTION 1. That so much of the plat known as Gamble and Millen's addition to the village of Grand Marais, in the county of Alger, executed by Mary E. Gamble and John Millen, as proprietors and J. M. Johnson as surveyor, and

recorded in the register of deeds' office for the county of Alger, on the seventh day of October, eighteen hundred ninety-seven, in book number one of plats on page nineteen as is represented or included in blocks one, two, three, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and that part of block eight lying south of the alley be and the same is hereby vacated.

This act is ordered to take immediate effect.

Approved April 3, 1901.

[No. 366.]

AN ACT to authorize the village of Central Lake, in Antrim county, to borrow fifteen thousand dollars and to issue bonds therefor for the purpose of building roads and bridges and to levy taxes sufficient to provide for the payment of the same and the interest thereon.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

SECTION 1. That the village council of the village of Central Lake, in Antrim county, be and is hereby authorized and empowered to borrow on the faith and credit of said village not to exceed the sum of fifteen thousand dollars, which is to be due and payable within twenty years from the date of said loan, at a rate of interest not exceeding five per cent per annum, and to execute coupon bonds of said village therefor in such form as the common council of said village shall determine, which bonds shall in no case be disposed of for less sum than their par value.

Bond issue,
how deter-
mined.

May call
special
election.

Notice.

SEC. 2. Such money shall not be borrowed nor such bonds issued, unless a majority of the qualified electors of said village voting at a special election to be called for the purpose of voting on said loan, shall so determine, and said village council is hereby authorized and empowered to call a special election for the purpose of submitting the question of said loan to the qualified electors of said village, giving due notice thereof, by causing the date, the place of voting and object of said election to be stated in printed or written notices to be posted in six public places in said village, not less than ten days before said election, which notices shall state the amount of money and the purpose for which it is proposed to be borrowed.

Vote to be by
ballot.

SEC. 3. The vote upon such proposition shall be by ballot, either written or printed, or partly written and partly printed. Ballots in favor of such proposition shall be in the following

words: "For issuing village bonds for the purpose of borrowing fifteen thousand dollars to be used in building roads and bridges.—Yes;" and the ballots against the same shall be in the following words: "For issuing village bonds for the purpose of borrowing fifteen thousand dollars to be used in building roads and bridges.—No;" and it shall be the duty of said board to provide at the polls of such election during the whole time while the same shall be open a sufficient number of said ballots both for and against such proposition as shall be necessary to supply all the electors desiring to vote thereon; the election shall be conducted and the votes canvassed in all respects as in any other village election, and immediately upon the conclusion of such canvass the inspectors of the election shall make and sign a certificate showing the whole number of votes cast upon such proposition, and the number for and against the same respectively, and said inspectors shall endorse upon such certificate a declaration in writing of the result of such election, which said certificate and declaration shall then be filed with the clerk of said village and a copy of said certificate and declaration certified to by said village clerk shall be filed by him with the county clerk of the said county of Antrim.

Form of.

Election, how conducted.

SEC. 4. Any money borrowed under the provisions of this act shall be expended by direction and under the approval of the said village council in building roads and bridges and in improving and repairing the same in said village of Central Lake; and in case of the issue of such bonds, it shall be the duty of the assessor of said village to assess and the treasurer of said village to collect in each year thereafter, in addition to all other taxes authorized by law to be assessed and collected in said village an amount sufficient to pay all interest upon such bonds accruing and becoming due and payable thereon and also any installments of the principal thereon falling due in any such year, and the said interest shall be paid by said treasurer after the same shall become due, on presentation to him of the proper coupons, and the said principal shall be payable by said treasurer after the same shall become due, on proper presentation to him of the said bonds.

Money, how used.

Tax levy for payment.

This act is ordered to take immediate effect.

Approved April 3, 1901.

[No. 367.]

AN ACT to authorize the board of education of the city of Escanaba, county of Delta, and State of Michigan, to borrow money and issue bonds in the sum of twenty-five thousand dollars to be used in the erection of a school building in the city, and in the purchase of a site therefor.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

SECTION 1. The board of education of the city of Escanaba, from and after the passage of this act, is hereby authorized and empowered to borrow on the faith and credit of said city a sum of money not exceeding twenty-five thousand dollars, for a term not in excess of thirty years from date of issue, at a rate of interest not exceeding five per cent per annum, payable semi-annually or annually, at such place or places as the said board of education may determine, and to execute the bonds of said city therefor, in such form as the board of education may by a majority vote of all the members of said board elect, determine, and to provide for the payment of the same; and said board of education is further authorized to negotiate and sell such bonds from time to time upon the best terms for said city as may be obtained: Provided, however, That no such bonds shall be sold upon any terms that will make the rate of interest upon the price actually received for such bonds more than five per cent per annum.

Proviso.

Money, how
applied.

SEC. 2. The money borrowed under the provisions of this act shall be applied as follows, viz.: To the construction of a school building for the use of said city and for the purchase of a site therefor, to be located in such place in said city as the said board of education may determine.

Tax levy for
payment.

SEC. 3. It shall be the duty of the city council of the said city of Escanaba to provide by tax upon the taxable property of said city, or from any fund it may have on hand and not otherwise appropriated, for the payment of the said sum of twenty-five thousand dollars and interest upon all bonds issued under the authority of this act: Provided, That no bonds shall be issued or money borrowed for the purpose of the construction of the said school building or the purchase of said site, until the question of borrowing such sum of money and the issuing of said bonds therefor shall be submitted to the vote of the electors of said school district, qualified under the laws of this State to vote on questions which directly involve the raising of money by tax for said school district, present at any general or special meeting appointed and called by the said board of education for the purpose of voting thereon, and unless said bonds shall be authorized by a vote of a majority of said qualified electors voting at such election, voting therefor. Notice of the time and place and object of any such meeting shall be given by publishing such notice

Proviso as to
election.

Notice of
meeting,
how given.

in any one of the newspapers of said city of Escanaba and by posting copies thereof in ten public places in said city at least ten days before the meeting.

This act is ordered to take immediate effect.

Approved April 3, 1901.

[No. 368.]

AN ACT to amend section nine of act number four hundred and seventy-nine of the local acts of eighteen hundred and seventy-one, entitled "An act to establish a police government for the city of Detroit," as amended by act number thirty-two of the local acts of eighteen hundred and eighty-two, and to provide for the payment of salaries and compensation of the officers, appointees and employees therein mentioned semi-monthly.

The People of the State of Michigan enact:

SECTION 1. That section nine of act number four hundred and seventy-nine of the local acts of eighteen hundred and seventy-one, entitled "An act to establish a police government for the city of Detroit," as amended by act number thirty-two of the local acts of eighteen hundred and eighty-two, be and the same is hereby amended to read as follows:

Section amended.

SEC. 9. The qualification, enumeration and distribution of duties and mode of trial and removal from office of each officer and member of said police force, shall be particularly defined and described by rules and regulations of the board of police, and no person shall be appointed to or hold office in the police force who is not a citizen of the city of Detroit, shall not have resided in the State of Michigan two years next preceding his appointment, who cannot read and write the English language, and who has ever been convicted of any crime: Provided, That no person (except the superintendent, detectives, the attorney, the surgeon, secretary and property clerk) shall be removed from said force, except upon written charges preferred against him to the board of police, and after opportunity of being heard in his defense; but the board of police may suspend any member of the force, pending the hearing of charges against him. The board of police may also at any time, in their discretion, and without charges, or trial, reduce any officer from his rank, grade and pay, to a lower rank and pay, and either permanently or temporarily promote any officer to his position without regard to the relative rank or grade of such other officer:

Qualification, etc., of officers, how defined.

Provide as to removal from office.

Board may reduce officer to lower rank, etc.

Proviso as to vacancy in office of captain.	Provided, Whenever any vacancy occurs in the office of captain of police, the same shall be filled from among the persons then in office as sergeants, roundsmen or patrolmen. The police commissioners shall receive no compensation whatever for their services during their term of office. All salaries and compensation to the officers, appointees and employees of the department shall be prescribed and determined by the board of police commissioners, and shall be paid semi-monthly to the persons entitled thereto. No member of the board of police, or of the police force, shall receive or share in, under any pretenses whatever, any present, fee, gift or emolument for police service other than the regular salary and pay provided by this section, except by the unanimous consent of said board; and it shall be the duty of every member of said board, or the police force, to return to the property clerk (to be disposed of as hereinafter prescribed) every present, fee, gift or emolument received by him, with the consent of the board, except said board permits him to retain the same for his own use; and all moneys, and proceeds of all property received from this source, shall be disposed of by said board as if the same had been paid or given for extraordinary services, as prescribed in the eleventh section of this act. Nor shall any member of said force receive or share in any fee, gift or reward from any person who may become bail for the appearance of any arrested, accused or convicted person, or who may become surety for any such person on appeal from the judgment or decision of any court or magistrate, or any fee, gift or reward in any case, from any attorney at law who may prosecute or defend any person arrested or prosecuted for any offense within the county of Wayne; nor shall any member, either directly or indirectly, interest himself or interfere, in any manner whatever, in persons arrested or accused; and for any violation of either of the foregoing provisions, the member so offending shall be immediately removed from office.
Salaries, how fixed.	
When member may receive presents, etc.	
Disposition of presents.	
Penalty for violation.	

This act is ordered to take immediate effect.

Approved April 4, 1901.

[No. 369.]

AN ACT to amend section fifty of chapter two of act number four hundred sixty-eight of the local acts of eighteen hundred ninety-five, entitled "An act to amend and revise chapters one and two of an act entitled 'An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith,' approved June seventh, eighteen hundred eighty-three."

The People of the State of Michigan enact:

SECTION 1. That section fifty of chapter two of act number four hundred sixty-eight of the local acts of eighteen hundred ninety-five, entitled "An act to amend and revise chapters one and two of an act entitled 'An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith,' approved June seventh, eighteen hundred eighty-three," be and the same is hereby amended so as to read as follows:

Section amended.

SEC. 50. The city clerk, city treasurer and the senior police justice of said city shall constitute the board of city canvassers referred to in this act, and shall upon the Thursday next after the election, at ten o'clock in the forenoon, meet in a convenient public place, to be by them designated, and proceed to open and canvass the returns for city officers and declare the result of the election as soon as possible thereafter. For the purpose of tabulating the returns and doing such other incidental detail work as shall be necessary, each of the said board of canvassers may designate a suitable person to act as one of the clerks of the said board, to be compensated in such manner as the council may determine. The board itself shall elect one of their number to be chairman. When the result shall have been determined, the board shall cause to be made a record in the proper book for that purpose to be provided, of its proceedings and of the result of the said election as determined by the said board, which shall be signed by the entire board and kept on file with the city clerk for record. If it shall be claimed by any member of the board of city canvassers that the return made to the board from any district is erroneous in respect to the return of votes cast for any office, the superintendent of police, on the request of said board, shall produce before said board the returns certified in the poll book for the district, and the county clerk shall likewise produce the returns in his office from such district, and if on comparison of all of such returns it appears that any two of them agree as to the number of votes returned for such office, the returns so agreeing shall be accepted as correct returns of the number of votes cast for such office. If the error be claimed to have been made in the return for any State, county or congressional

Board of canvassers, who to constitute.

May appoint clerks.

Duty of board when result determined.

Proceedings in case of erroneous vote.

office, the superintendent of police and city clerk shall produce said poll book and returns filed in the city clerk's office, and like examination and comparison shall be made thereof with the returns made to the county board of canvassers, and with like effect as is above provided in case of alleged error in the return of votes cast for a city, ward or district office.

Approved April 4, 1901.

[No. 370.]

AN ACT to repeal section three of the local acts of the session laws of nineteen hundred one, passed January twenty-two, nineteen hundred one, entitled "An act to legalize certain proceedings of the city council of the city of Traverse City and authorizing said council to issue the bonds of said city to the amount of twenty-five thousand dollars, for the purpose of extending and improving its water works plant." (a)

The People of the State of Michigan enact:

Section
repealed.

SECTION 1. That section three of the local acts of the session laws of nineteen hundred one, passed January twenty-two, nineteen hundred one, entitled "An act to legalize certain proceedings of the city council of the city of Traverse City, and authorizing said council to issue the bonds of said city to the amount of twenty-five thousand dollars, for the purpose of extending and improving its water works plant," be and the same is hereby repealed.

This act is ordered to take immediate effect.

Approved April 4, 1901.

(a) Repeals Sec. 3 of Act No. 247. See page 5 this compilation.

[No. 371.]

AN ACT to amend act number four hundred twenty-four, local acts of eighteen hundred ninety-five, entitled "An act to revise and amend the charter of the city of Traverse City," as amended by act number three hundred and twenty-eight of the local acts of one thousand eight hundred and ninety-nine.

The People of the State of Michigan enact:

SECTION 1. That act number four hundred twenty-four of the local acts of one thousand eight hundred and ninety-five, entitled "An act to incorporate the city of Traverse City," as amended by act number three hundred twenty-eight of the local acts of one thousand eight hundred and ninety-nine, be and the same is hereby amended so as to read as follows: Act amended.

TITLE III.

SEC. 2. Every elector shall vote in the ward where he shall have resided during the twenty days next preceding the day of election. The residence of an elector not being a householder shall be deemed to be in a ward in which he boards and takes his regular meals. Elector, where shall vote.
Residence, where deemed.

TITLE XXX.

WATERWORKS.

SECTION 1. It shall be lawful for the city of Traverse City to construct new and to maintain, improve and extend existing waterworks for the introduction of water into said city, and supplying the same and the inhabitants thereof, with pure and wholesome water for the ordinary and extraordinary uses of the inhabitants thereof, the extinguishment of fires, and for such other purposes as the council may prescribe. City may construct and maintain.

SEC. 2. Said city may acquire, purchase, erect, and maintain such reservoirs, canals, aqueducts, sluices, dams, buildings, engines, water wheels, pumps, hydraulic machines, distributing pipes and other apparatus, appurtenances and machinery, and may acquire, purchase, appropriate, and own such grounds, real estate, rights and privileges, as may be necessary and proper for the securing, construction and maintenance of such waterworks. May acquire reservoirs, etc.

SEC. 3. It shall be lawful for said city, subject to the provisions of this charter, to borrow any sum of money not exceeding eight per cent of the assessed value of the prop- May borrow money and issue bonds.

Interest.	erty in said city, as shown by the last preceding tax roll, to be used exclusively for the purpose of constructing, extending or improving waterworks as provided in the two preceding sections. The council shall have the power to fix the time and place of the payment of the principal and interest of the debt contracted under the provisions of this title, and to issue bonds of the city therefor, but the rate of said interest shall not exceed five per cent per annum, and such bonds shall not be sold for less than their par value: Provided, That the total amount expended for constructing, or extending such waterworks, shall not exceed the estimate of expense provided for in section four of this title.
Proviso as to amount.	SEC. 4. Before any money shall be borrowed, appropriated, raised, or expended for the construction or extension of waterworks in said city, the council shall direct the board of water commissioners to cause to be made an estimate of the expense thereof, and the question of raising the amount required for such purpose shall be submitted to the taxpaying electors of said city at its next annual election or at a special election called for that purpose by the council as provided in this charter, and shall be determined as a majority of the taxpaying electors voting at such election by ballot shall decide: Provided however, That the council may raise and expend in making repairs or alterations, or in extending and maintaining such works, such sum as they may see fit, without submitting the question to the taxpaying electors of said city, but the sum to be raised for such purpose shall be included in and shall not increase the total amount which by the provisions of said charter the council is authorized to raise.
Estimate of expense to be made.	SEC. 5. The connecting or supplying pipes leading from buildings or yards to the distributing pipes, shall be inserted and kept in repair at the expense of the owner or occupant of the building or yard, and shall not be inserted or connected with the main pipe until a permit therefor shall be obtained from the board of water commissioners. All such connecting or supplying pipes shall be constructed and connected in the manner prescribed by ordinance and in conformity to such rules and regulations as may be made from time to time by the board of water commissioners.
Submitted to electors.	SEC. 6. The council shall by ordinance establish a scale of rates to be charged and paid for supply of water, to be called water rates, which rates shall be appropriate to different classes of buildings in said city, with reference to their dimensions, value, exposure to fires, ordinary or extraordinary uses for dwellings, stores, shops, hotels, factories, livery stables, barns, and all other buildings, establishments and trades, yards, number of families or occupants, or consumption of water, as near as may be practicable, and from time to time, either modify, amend, increase or diminish such rates.
Proviso as to repairs and alterations.	
Connecting pipes, by whom kept in repair.	
How constructed.	
Council to fix rates.	

SEC. 7. The council may enact such ordinances and adopt such resolutions as may be necessary for the care, protection, preservation and control of the waterworks and all the fixtures, appurtenances, apparatus, buildings and machinery connected therewith or belonging thereto, and to carry into effect the provisions of this title and the powers herein conferred in respect to the construction, management and control of such waterworks.

May enact ordinances, etc., for care and control.

SEC. 8. When the council shall deem it for the public interest, such waterworks may be constructed and maintained beyond the corporate limits of said city; and in such case the council shall have authority to enforce beyond the corporate limits of said city, within the county or counties in which said city is situated, and over the buildings, machinery and other property belonging to and connected with such waterworks, in the same manner and to the same extent as if they, or it, were within the city, all such ordinances and police regulations as may be necessary for the care, protection, preservation, management and control thereof.

May be maintained beyond corporate limits.

SEC. 9. For the purpose of operating, constructing, maintaining or extending such waterworks, said city shall have the right to lay conduit pipes, aqueducts or other necessary works over or under any water course, or under and along any street, alley, lane, turnpike, road, railroad or highway within and beyond the corporate limits of said city, but not in such manner as to obstruct the same or impede or prevent travel thereon; and the city authorities may at all times enter upon and dig up such street, alley, road or highway, to lay pipes thereon, or to construct works beneath the surface thereof, but they shall cause the surface of such street, alley, road or highway to be relaid and restored to its usual state, and any damage done thereto to be repaired, and such right shall be continuous for the purpose of repairing and relaying water pipes upon like conditions.

Rights and privileges in laying pipes, etc.

SEC. 10. If it shall be necessary, in the judgment of the council, to appropriate private property either within or without said city for the construction and maintenance or for the due operation of waterworks, the right to occupy and hold the same, and the ownership therein and thereunto may be acquired by the city in the manner and with like effect as provided in this charter for the taking of private property for public use.

May appropriate private property.

This act is ordered to take immediate effect.

Approved April 4, 1901.

[No. 372.]

AN ACT to organize a school district in Springfield township, Kalkaska county, to be known and designated as "school district number one of township twenty-five, north range six west," out of the unorganized territory comprising the entire township twenty-five, north range six west.

The People of the State of Michigan enact:

District number one.

SECTION 1. That the unorganized territory comprising the entire township twenty-five, north range six west, in Kalkaska county, Michigan, be and the same is hereby formed, organized and incorporated into a school district with all the rights, powers, privileges and liabilities of school districts formed and organized under the general laws of this State to be known and designated as "school district number one of township twenty-five, north range six west," in the township of Springfield, Kalkaska county, Michigan.

First meeting, how and by whom called.

SEC. 2. The first meeting of said district may be called by any three taxable inhabitants thereof, notice in writing of the time and place of holding said meeting having been previously posted in three public places in the territory comprising said district, at least five days before the time designated therein for said meeting, signed by the inhabitants calling the same, at which meeting there shall be elected a moderator, director and assessor of said district, who shall respectively hold their offices until the annual meeting of said district to be held the first Monday of September, A. D. nineteen hundred one, when their successors shall be elected.

Law governing.

SEC. 3. Except as herein otherwise provided said school district and its officers shall be subject to the provisions of the general school laws governing school districts in the State of Michigan and the acts amendatory thereof.

This act is ordered to take immediate effect.

Approved April 4, 1901.

[No. 373.]

AN ACT to constitute the president of the village of Homer
ex officio member of the board of supervisors of Calhoun
county.

The People of the State of Michigan enact:

SECTION 1. From and after the seventh day of June, nine-
teen hundred and one, the president of the village of Homer,
ex officio, shall be and is hereby constituted a member of the
board of supervisors of the county of Calhoun and he shall
attend all the meetings of said board and be entitled to vote
upon all matters that may be brought before said board of
supervisors and for attending all such meetings he shall re-
ceive the same compensation as is authorized by law to be
paid to township supervisors for similar services, to be
audited by the board and paid by the county.

To be member
of board of
supervisors.

This act is ordered to take immediate effect.

Approved April 4, 1901.

[No. 374.]

AN ACT to amend sections twenty-seven, fifty-four, fifty-five, fifty-eight, sixty-one, seventy-nine, and one hundred and seventy-three of an act, entitled "An act to revise and amend the charter of the city of Ypsilanti," approved May fifth, eighteen hundred and seventy-seven; as amended by act number four hundred of the session laws of eighteen hundred and eighty-one and act number three hundred and ten of the session laws of eighteen hundred and ninety-one, as amended by act number three hundred and twenty-three of the session laws of eighteen hundred and ninety-five, as amended by act number four hundred and thirty-seven of the session laws of eighteen hundred and ninety-seven, as amended by act number three hundred and seventy of the session laws of eighteen hundred and ninety-nine; and to add sections to said act, to stand as two hundred and eighty-eight, two hundred and eighty-nine, two hundred and ninety, two hundred and ninety-one, two hundred and ninety-two, two hundred and ninety-three, two hundred and ninety-four, two hundred and ninety-five, two hundred and ninety-six, two hundred and ninety-seven and two hundred and ninety-eight, and to repeal all the acts and parts of acts inconsistent herewith.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections twenty-seven, fifty-four, fifty-five, fifty-eight, sixty-one, seventy-nine, and one hundred and seventy-three of act number three hundred and twenty-eight of the session laws of eighteen hundred and seventy-seven, entitled "An act to revise and amend the charter of Ypsilanti," approved May the fifth, eighteen hundred and seventy-seven; as amended by act number four hundred of the session laws of eighteen hundred and eighty-one, as amended by act number three hundred and ten of the session laws of eighteen hundred and ninety-one; as amended by act number three hundred and twenty-three of the session laws of eighteen hundred and ninety-five; as amended by act number four hundred and thirty-seven of the session laws of eighteen hundred and ninety-seven; as amended by act number three hundred and seventy of the session laws of eighteen hundred and ninety-nine; and to add sections to the said act as amended, to stand as two hundred and eighty-eight, two hundred and eighty-nine, two hundred and ninety, two hundred and ninety-one, two hundred and ninety-two, two hundred and ninety-three, two hundred and ninety-four, two hundred and ninety-five, two hundred and ninety-six, two hundred and ninety-seven and two hundred and ninety-eight so as to read as follows:

SEC. 27. The following officers shall be appointed by the mayor, at the first meeting to be held on the first Monday of each year, viz.: One health physician, one fire warden from each judicial district, one poundmaster for each judicial district. The mayor shall also on the first Monday in May, eighteen hundred and ninety-one, appoint, subject to the approval of a majority of the members elect of the common council, three commissioners of public works, two of whom shall be residents of the first judicial district, one a resident of the second judicial district; one to hold office for the term of one year, one to hold office for the term of two years, and one for the term of three years. There shall also be appointed in the same manner annually thereafter one commissioner of public works, to hold his office for the term of three years, but at no time shall more than one of said commissioners be residents of the second judicial district or more than two residents of the first judicial district. The mayor shall also on the first Monday in May, nineteen hundred and one, appoint, subject to the approval of a majority of the members elect of the common council, three commissioners of police, two of whom shall be residents of the first judicial district, one a resident of the second judicial district, one to hold office for the term of one year, one for the term of two years, and one for the term of three years. At all times the two political parties having cast the greatest number of votes at the preceding city election shall be represented by members of the same upon said board. There shall also be appointed in the same manner annually thereafter, one commissioner of police to hold his office for a term of three years, but at no time shall more than one of said commissioners be residents of the second judicial district or more than two residents of the first judicial district. The common council shall appoint on the first Monday in May each year, one city clerk, one city treasurer, one city attorney, one street commissioner, one city surveyor, one chief of fire department, and also one deputy city clerk on the recommendation of the city clerk. The common council shall also at the same time elect one of their number president of the council, who shall, in the absence of the mayor, preside at all meetings, and in the absence of the mayor from the city, shall act as and have the powers of the mayor. The appointments made by the mayor, except commissioners of public works and police, shall be absolute, the mayor to be responsible therefor, and the power is hereby granted him to remove his own appointees at his pleasure and to appoint others in their places, the mayor to report all removals or appointments by him made, at the first regular meeting of the council thereafter. The common council may also, from time to time, provide by ordinance for the appointment and appoint for such term as may be provided in any such ordinance, such other officers whose election or appointment is not herein specially provided for, as the common

Officers, appointed by the mayor.

Commissioners of public works.

Term of office.

Police commission.

Term of office.

Officers appointed by council.

Council to elect president, duties, etc.

Certain appointments of mayor to be absolute.

How council may appoint additional officers.

Appointment
may be made
at a subse-
quent
meeting.
Marshal,
duties, etc.

council shall deem necessary for the execution of the powers granted in this act, and may remove the same at pleasure. The powers and duties of all such officers shall be prescribed by ordinance. Any appointment which shall not be made on the day named may be made at any subsequent regular or special meeting of the common council.

SEC. 54. The city marshal or chief of police shall, before entering upon the discharge of the duties of his office, give such security for the faithful performance of his duties as the board of police commissioners shall direct and require, and he shall be the chief of police. And the city marshal shall collect all city taxes remaining unpaid on the first day of August, and all State, county and school taxes and all other taxes and assessments remaining unpaid after the first day of January.

Superintend-
ent of the
poor, who to
act as.

SEC. 55. The city marshal or chief of police shall also act as city superintendent of poor, and shall perform the same duties that the supervisors of townships, under the general laws of the State, are required to perform in regard to the support of the poor, and the supervisors of said city are accepted from the general laws of the State relating to the support and maintenance of poor persons so far as the same relates to the support of poor persons having a settlement in said city. The common council may make such regulations as they shall deem expedient for the support and relief of poor persons residing in said city, and for that purpose may prescribe by ordinance the duties of the marshal relating to the same.

To report
monthly.

SEC. 58. He shall report in writing, and on oath, to the board of police commissioners on the first Monday in each month, all arrests made by him and the cause thereof and all persons discharged from arrest during the month, and the amount of all fines and fees collected by him. All money collected or received by him shall be paid into the city treasury, within two days after the same shall have been received, and the treasurer's receipt therefor shall be filed with the city clerk.

COMMISSIONERS OF PUBLIC WORKS.

Powers and
duties.

SEC. 61. The commissioners of public works, under the general direction of the common council, shall have charge of the waterworks, electric lights, parks, and such other public property as may be put in their charge by the common council. They shall superintend the running of the waterworks and electric light, shall employ and superintend all help necessary to run the same; said commissioners shall have the supervision of collecting all water rates, and shall deposit all money collected by them with the city treasurer

at least once each week, and take his receipt therefor, and the clerk of said commissioners shall file a report, in writing, under oath, on the first of each month, with the common council, showing the amount of money collected during the preceding month with the treasurer's receipt for the same thereto attached; they shall keep all public property under their control in good repair, and report to the common council on the first and third Mondays of each month, in writing, giving an exact statement of all labor performed by them or under their supervision, and the charges therefor, the amount of material used and the expense thereof, and the place where such material was used or labor performed, and farther showing the items and purposes of all expenses incurred since their last preceding report; and no payment for material furnished, services performed, or for expenses incurred, shall be made until reported as aforesaid, and ordered paid by the common council. Said commissioners shall perform all other duties that may be required of them by ordinance or resolution of the common council.

To report monthly.

SEC. 79. The common council shall annually determine the salary or compensation to be paid to the following named officers of said city within the limitations hereinafter prescribed, and which shall be as follows, viz.: To the mayor a sum not exceeding one dollar per annum; to the city clerk, in addition to his fees and perquisites prescribed by law, a sum not exceeding six hundred dollars per annum; which shall be in full for all services performed by him; to the city treasurer a sum not exceeding two hundred dollars per annum; to the city attorney a sum not exceeding two hundred dollars per annum; to the street commissioner a sum not exceeding four hundred and eighty dollars per annum; to the health physician a sum not exceeding one hundred dollars per annum; to the chief of fire department a sum not exceeding one hundred dollars per annum. The compensation of each alderman is hereby fixed as follows: For services as inspector at any general or special election, the sum of two dollars per day; for services upon the city board of registration, the sum of two dollars per day; for services upon the board of review, the sum of two dollars per day; for services upon the board of health, the sum of twenty dollars per year; for all other duties of aldermen, either under the provisions of the charter or under the State laws, the sum of one dollar per annum.

Council to annually determine salaries of officers.

SEC. 173. The council shall also have authority to require the owners and occupants of lots and premises, to construct and maintain sidewalks in the public streets adjacent to and abutting upon such lots and premises, and to keep them in repair at all times, and to construct and lay the same upon such lines and grades, and of such width, materials and manner of construction, and within such time as the council shall by ordinance or resolution, prescribe. When a cement walk is ordered by the common council, one-third of the expense of

Authority of council relative to sidewalks.

Cement walk, cost to owner.

laying said walk shall be paid by the city and two-thirds by the owner of the abutting property. Whenever a property owner desiring a cement walk shall deposit with the city clerk two-thirds of the cost of laying the same the city shall pay the remaining one-third of the expense and do the work of laying said walk.

Duties of
clerk of pub-
lic works com-
mission.

SEC. 288. The clerk of the commissioners of public works shall keep the papers, files and records and collect all sewer and paving taxes and perform such other duties and furnish such bonds as the said commission may from time to time prescribe. Said clerk may be the city clerk at the option of the city council.

Powers and
duties of
police depart-
ment, how
vested.

SEC. 289. That all the powers and duties connected with and incident to the government and discipline of the police department of the city of Ypsilanti, shall be vested in and exercised by a board of three commissioners, to be known as the "board of police commissioners of the city of Ypsilanti," a majority of whom shall constitute a quorum for the trans- action of business.

Members may
be removed.

SEC. 290. Any member of said commission may at any time be removed by a vote of two-thirds of all the members elect of the city council of said city for sufficient cause, and the proceedings in that behalf shall be entered on the journal of the council: Provided, That said city council shall previously cause a copy of the charges preferred against such member sought to be removed, and notice of the time and place of hearing the same to be served on him at least ten days previous to the time so assigned, and opportunity to be given to him to make his defense personally and by counsel.

Proviso.

To serve
without com-
pensation.

SEC. 291. Said commissioners shall serve without compensation, and no person shall be eligible to appointment to said board unless he shall then be an elector of said city.

To subscribe
oath.

SEC. 292. Immediately after their appointment said commissioners and their successors shall file with the city clerk of said city of Ypsilanti an oath of office which such filing shall constitute an acceptance of the office, and said clerk shall report all such acceptances of office to the city council at its next meeting.

To form
organization.

SEC. 293. As soon as said commissioners have qualified by filing their oaths of office, they shall meet and organize by electing one of their number president of said board; whereupon they shall assume control of the police department of said city and they and their successors in office shall have and possess all the powers and authority conferred upon them by this act. The board shall hold such regular and special meetings as they may from time to time provide; and shall cause full and accurate record of the same, and of all business transacted by the board to be kept. They shall keep a separate account of expenditures ordered by the board on account of the police department, and of all the expenses incurred by the board in managing and maintaining said

Meetings.

To keep
accounts.

department. The board shall report to the city council quarterly the condition and needs of the police department and the expense of conducting the same for the quarter. Said board shall also, from time to time, certify to the city clerk of said city, all expenses for or on account of said police department as shall have been approved by the board, and the city clerk shall report the same to the common council for payment as in other cases; but no claims or accounts shall be paid by the city council unless certified by the board.

To report quarterly, etc.

SEC. 294. The board of police commissioners shall have the power of appointing the city marshal or chief of police at a salary not exceeding six hundred dollars per year. It shall also have the power of appointing two deputy marshals at a salary not exceeding forty dollars per month and such other or additional policemen or deputy marshals as may from time to time become necessary, subject to such limitations and restrictions as to numbers, qualifications and compensation as the common council may prescribe. Said board shall accordingly have power, and it shall be their duty, on the second Monday in May in the year nineteen hundred and one, or as soon thereafter as may be, to appoint the city marshal or chief of police, who shall hold his office during the pleasure of the board. They may also appoint as many special police, with or without compensation, in time of special emergency, or apprehended danger from riot or other cause of alarm, as they may deem expedient. Said board, whenever it shall seem to them discreet, may also, on the application of any person or persons showing the necessity thereof, appoint any number of special police to do duty at any designated place or places within said city, at the charge and expense of the person or persons by whom the application shall be made, and the special police so appointed shall perform duty only at the places designated by said board, and shall continue in office at the pleasure of said board.

May appoint marshal. Salary. Deputy marshal. Salary.

First appointments of board.

Special police.

Idem.

SEC. 295. Said city marshal, deputy marshal and policemen shall possess all the powers and privileges that are now conferred on like officers by the charter of said city; they shall have the same power as constables now have by law, except as to the service and return of civil process and proceedings in civil cases, and shall be subject to the same liabilities, except as otherwise provided by law. They shall have power and authority to execute, serve and return all process for the enforcement of all ordinances of said city and the provisions of the charter of said city and of this act, and shall perform such other duties not inconsistent with this act or the charter of said city, as the council shall by ordinance or otherwise prescribe.

Power and authority of marshal and deputies.

SEC. 296. Said board of commissioners may, whenever it shall seem to them best, dismiss from the department and from service the chief of police or any member of the police force, with or without charges or trial, and no such dismissed

Power of board relative to dismissals, etc.

person shall be entitled to any compensation after such dismissal, and said board may, at pleasure, change any member of said police department from one grade of service to another at any time, and may suspend any member of the department with loss of pay for such time as they may fix.

To make rules
and regula-
tions.

SEC. 297. Said board shall have power, and it shall be their duty, to make all such rules and regulations for the government and discipline of said police department as they may deem best calculated to secure thoroughness and efficiency. They shall prescribe suitable uniforms and badges for the several members of the department; shall establish proper regulations for the care and management of such police stations as may be provided by the city council for the accommodation of the police force for the lodging of vagrants and disorderly persons and for the temporary detention of persons arrested for offenses. They shall purchase all sup-

Purchase
supplies, etc.

plies and materials needed for the use of the department. They may adopt such system of reports from members of the force, of the chief and from the chief to the board, as they may think desirable, and may, in their discretion, require a bond to the city from the chief or any member of the department as security for the proper performance of his duties.

To prescribe
duties.

They shall prescribe the duties of the chief of police and of all regular and special police, and shall provide for the preservation of the public peace, for the prevention of crime, for the arrest of all offenders against the peace and good order of the city, and all persons violating the ordinances of the city.

To provide
for protection
of property,
etc.

They shall provide for the protection of the rights of persons and property and for the preservation of order at fires and at all railroad depots, and shall enforce all ordinances proper to be enforced by the police of said city. And it shall be the duty of said board at all times, whenever consistent with the regulations of the board and the requirements of the act, to furnish all information desired, and comply with all requests made by the city council of said city or by the mayor thereof.

Repealing
clause.

SEC. 298. All acts or parts of acts inconsistent herewith are hereby repealed.

This act is ordered to take effect May 1, 1901.

Approved April 4, 1901.

[No. 375.]

AN ACT to incorporate the public schools in the village of Delray in the county of Wayne.

The People of the State of Michigan enact:

SECTION 1. That all those parts of the territory of school districts number one, number two and number seven in the township of Springwells, county of Wayne, lying outside of the incorporated village of Delray in said county shall be and are hereby detached from those parts of the territory of each of said districts lying within said village, and all said parts of said districts lying within said village shall be and are hereby constituted a single, independent school district to be known and designated as the "public schools of Delray." The boundaries of said village and of said school district herein designated as the "public schools of Delray" are described as follows, viz.: That part of the township of Springwells in said county bounded on the north by the Wabash railway, on the east by Artillery avenue, being the westerly limits of the city of Detroit, on the south by the Detroit and Rouge rivers, and on the west by the Rouge river. That part of said district number two lying outside of the boundaries of the village of Delray and lying east of the center line of Springwells avenue extended across said district shall be and the same is hereby annexed to that part of district number one lying outside of said village and shall become a part thereof. That part of said district number two lying west of the said center line of Springwells avenue extended across said district shall be and the same is hereby annexed to that part of district number seven lying outside of said village and shall become a part thereof. Said "public schools of Delray" shall be a body politic and corporate and shall continue to be conducted and managed as a graded school district under and pursuant to the provisions of the general laws applicable thereto and shall have all the powers, rights and privileges and shall be subject to all the duties and liabilities of every name and nature conferred or imposed upon school districts and graded schools by the general laws, except as herein otherwise provided.

SEC. 2. The right and title to all the property, real and personal, belonging to either of said school districts number one, number two and number seven situate within the boundaries of said village shall pass to and vest in said public schools of Delray. All contract rights and all indebtedness and contract obligations of every name and nature now existing in favor of or against said district number two are hereby transferred to, vested in and imposed upon said pub-

Certain territory to constitute a single district.

Territory incorporated.

To be a body corporate.

Right and title to property, how vested.

Contract rights, indebtedness, etc., of district No. 2, how vested.

Of district
Nos. 1 or 7,
how paid.

Liabilities,
etc., how
adjusted.

Who to be
trustees.

Certain au-
thority
repealed.

Idem.

Assessment
roll, when
prepared.

Council to
deliver roll
with certifi-
cate to
assessor.

Power to levy
tax, how
vested.

lic schools of Delray. All contract rights and all indebtedness and contract obligations of every name and nature existing and outstanding against either of said school districts number one or number seven shall be wholly paid and discharged by each of said districts respectively. The rights and liabilities of the several school districts in this act referred to as between themselves shall be adjusted as follows: Said public schools of Delray shall pay to the assessor of said school district number one the sum of nine thousand one hundred forty-six dollars and seventy-seven cents together with interest thereon at the rate of six per cent per annum from the date of the approval of this act, which shall be applied exclusively in payment of the bonded indebtedness of said school district number one. Said public schools of Delray shall pay to the assessor of said school district number seven the sum of two thousand four hundred and sixty-six dollars and forty-five cents together with interest thereon at the rate of six per cent per annum from the date of the approval of this act, which shall be applied exclusively in payment of the bonded indebtedness of said school district number seven.

SEC. 3. The trustees and officers of said school district number two shall be the trustees and officers of the school district hereby created until their successors are elected and qualified. All authority on the part of the board of school inspectors of the township of Springwells to in any way control, manage or interfere with the said public schools of Delray is hereby repealed. The common council and all the officers of the village of Delray shall each year, in due time, take all the steps and perform all the duties prescribed by law for the making, reviewing and perfecting of a general assessment roll for said village and also in all things comply with the provisions of this act. All authority on the part of the common council of said village to dispense with the making of such roll for any year is hereby repealed. Such assessment roll shall be prepared by the assessors on or before the first day of May and the time fixed for the first meeting of the board of review, for the review of such assessment shall not be later than the third Monday of May in each year and the review thereof shall be completed by the fourth Monday of May in each year. The common council of the village shall each year deliver to the assessor of the village the assessment roll with the certificate of the several amounts to be raised thereon by general taxation for village purposes on or before the first Monday of June. The general taxes of the village when raised in any year shall be entered and extended on the same roll as the school taxes hereinafter mentioned.

SEC. 4. The power to levy taxes and assessments for the school district hereby created upon the real and personal property therein is hereby vested exclusively in the district

board of said district. It shall be the duty of said board annually before the fourth Monday in May to estimate the amount necessary to be raised in addition to other school funds for the entire support of the schools in said district, including teachers' wages, fuel and other incidental expenses, for deficiencies of the previous year for such purposes, for the purchase or lease of a site or sites, for building, hiring or purchasing a school house or houses, for the care, maintenance and repair thereof, for payment of the indebtedness of the district, for the establishment and maintenance of a public school library and for enlargements and additions thereto, and for all other school purposes authorized by law, provided that the tax levied in any one year for all such purposes aside from the payment of the indebtedness of said district shall not exceed the rate of one cent on the dollar of the assessed valuation on the village assessment roll of said village for the then current year.

When to make estimate of expense.

Proviso as to amount of tax.

SEC. 5. On or before the first Monday of June in each year the director of said school district shall certify the amount voted by the board of trustees to be raised for said purposes by taxation in said district for the current year to the said village assessor. And thereupon afterwards and on or before the third Monday of June the assessor of said village shall proceed to estimate, apportion and set down in a column to be headed "school taxes" opposite the several valuations of real and personal property on the roll in proportion to the individual and particular estimates and valuations the respective sums in dollars and cents apportioned to each and the amount of such school taxes assessed to each valuation shall be included in the total amount carried into the last column of the roll. Afterwards and on or before the fourth Monday of June the president of said village shall affix his warrant to said tax roll as required by law in the case of village assessment rolls, and the same shall be delivered by said assessor to the treasurer of the village. Said warrant shall be a complete authority to the village treasurer to collect and enforce the payment of the school taxes assessed on said roll as well as of all other taxes assessed thereon.

Director to certify amount voted to board.

President to affix warrant.

SEC. 6. The said village treasurer shall have the same power and be charged with the same duty to collect said school taxes and to enforce the payment thereof which he now has or is charged with by law in connection with the collection of village taxes. The treasurer of the village shall be charged with the same duty to make return to the county treasurer of all school taxes delinquent and unpaid upon said roll that he is required to make respecting taxes assessed for village purposes thereon. The taxes thus returned shall be collected in the same manner as village taxes returned to such county treasurer under the provisions of the general tax laws of the State and the same rate of interest and amount of charges shall be collected thereon; and all taxes

Village treasurer to collect tax.

General law to apply.	upon lands so returned as delinquent shall be and remain a lien thereon until paid. Moneys received by the county treasurer in payment of such school taxes shall be paid over to the village treasurer in the same manner and at the same times as required by law for the payment of village taxes collected by the county treasurer. All the provisions of law applicable to the enforcement and collection of general village taxes assessed shall apply equally to the enforcement and collection of the school taxes assessed as aforesaid.
Treasurer to keep taxes separate, etc.	SEC. 7. The village treasurer shall keep all moneys collected or received by him on account of school taxes separate and apart from other taxes and shall pay the same over from time to time when and as the same are collected to the assessor of the said school district upon demand being made by such assessor. Said school moneys shall be paid out only upon the order of the school board upon warrants signed by the director and countersigned by the moderator as now provided by law.
School moneys, how paid.	SEC. 8. The village of Delray shall be responsible to the said school district for all moneys collected or received by the village treasurer on account of school taxes and for the faithful discharge of the duties of such treasurer in relation thereto. The common council of the village shall require the village treasurer before the delivery of the tax roll to him to execute to the village a bond signed by sufficient sureties to be approved by the common council, in such penalty as shall be fixed by the common council conditioned that the said treasurer shall faithfully discharge the duties imposed upon him and to account for and pay over to the school district assessor all moneys which shall come to the hands of such village treasurer under and pursuant to this act. Liability upon such bond may be enforced by action brought in the name of the village under the direction of its common council.
Liability on bond, how enforced.	SEC. 9. The one mill tax now provided for by law to be levied and assessed upon property in townships shall not hereafter be levied or assessed upon property within said school district.
Mill tax not assessed.	SEC. 10. The director of said school district shall annually make the report to the township clerk of the township of Springwells required by the provisions of section four thousand six hundred eighty-nine at large of the compiled laws of eighteen hundred ninety-seven. It shall be the duty of the treasurer of the township of Springwells to pay over to the assessor of said school district all public school moneys and all moneys from whatever source derived to which said district may be entitled by law and which shall at any time come to his hands.
Duties of director and treasurer.	SEC. 11. The said school district may by a majority vote of the qualified electors thereof present at any annual meeting or special meeting called for that purpose, borrow money and may issue bonds of the district therefor to pay for a
How may borrow money and issue bonds.	

school house site or sites and to erect and furnish a school building or buildings: Provided, That the aggregate amount of the indebtedness of such district at any one time shall not exceed one hundred thousand dollars. All the other provisions of law relative to the borrowing of money upon bonds of a school district not inconsistent herewith shall apply to the issuing of said bonds and to the vote to be taken thereon: Provided however, That if the laws governing voting and elections are not applicable, the board of trustees of said district shall prescribe the manner in which the voting and the canvass of votes at such election shall be conducted.

SEC. 12. The board of trustees of said district may borrow in any year in anticipation of the collection of taxes for the same year such sum, not exceeding two-thirds of the tax, as may be necessary to defray current expenses. The money so borrowed shall be repaid from such tax when collected. The board of trustees of said district whenever it shall appear that the same can be done on terms advantageous to said district may borrow money to pay any bonded indebtedness of said district then existing and issue further bonds of said district therefor.

May borrow money, how repaid.

SEC. 13. The board of trustees of said public schools of Delray shall before engaging any superintendent, principal or teacher, examine into his or her qualifications and all teachers employed by said board shall be treated as legally qualified without any further examination or certificate from any other public officer, board or corporate authority whatsoever.

Duty of board relative to superintendent, etc.

SEC. 14. No member of the board of trustees of said school district shall be directly or indirectly interested in any contract or service made by or to be performed for the said school district. Any violation of the provisions of this section shall work a forfeiture of the office of such trustee and on proof thereof the board of trustees shall declare his office vacant.

Not to be interested in contracts, etc

This act is ordered to take immediate effect.

Approved April 4, 1901.

[No. 376.]

AN ACT to authorize the fire commission of the city of Detroit to grant a pension to Caroline J. McNamara.

The People of the State of Michigan enact:

To pension
Caroline J.
McNamara.

SECTION 1. That the fire commission of the city of Detroit be, and are hereby authorized to grant and pay a pension to Caroline J. McNamara, widow of John H. McNamara, who, while serving as a member of the fire department of the city of Detroit, received injuries in the year eighteen hundred eighty-nine, which resulted in his death on October twenty, A. D. nineteen hundred, in the same manner and to the same extent as though said John H. McNamara had died within one year from receiving such injuries, as provided in an act to provide for the retirement of aged and disabled firemen, and for the payment of pensions to the wives and children of deceased firemen killed in the service of the city of Detroit, approved June sixteen, eighteen hundred eighty-five.

This act is ordered to take immediate effect.

Approved April 5, 1901.

[No. 377.]

AN ACT to authorize and empower the township boards in the townships of Calumet and Torch Lake, in the county of Houghton, in the State of Michigan, to make all such orders and by-laws for determining the time and manner in which cattle, horses, swine, sheep and other animals shall be restrained from going at large in the highways and for directing and managing the prudential affairs of the townships as said board shall judge most conducive to the peace, welfare and good order of said townships.

The People of the State of Michigan enact:

Township
boards to make
rules, etc.,
restraining
the running at
large of
animals.

SECTION 1. That the township boards of the townships of Calumet and Torch Lake, in the county of Houghton, in the State of Michigan, are hereby authorized and empowered at any legal meeting of said boards by a majority vote of the members of said boards to make all such orders and by-laws for determining the time and manner in which cattle, horses, swine, sheep and other animals shall be restrained from going at large in the highways, streets, or other public places, in such townships of Calumet and Torch Lake, and for directing and managing the prudential affairs of said townships

of Calumet and Torch Lake as said board shall judge most conducive to the peace, welfare, and good order thereof, and as are not in conflict with the general laws of this State.

SEC. 2. When by the provisions of this act the township boards of the townships of Calumet and Torch Lake have authority to pass orders or by-laws for any purpose they may prescribe fines, penalties, and forfeitures not exceeding fifty dollars or imprisonment not exceeding sixty days, or both in the discretion of the court, together with the costs of prosecution for each violation of any of said orders or by-laws and may provide that the offender, on failing to pay such fine, penalty or forfeiture, and the costs of prosecution, may be imprisoned for any time not exceeding sixty days unless payment thereof be sooner made; and also that the offender be kept at labor during such confinement. The said townships of Calumet and Torch Lake shall be allowed the use of the county jail of Houghton county for the confinement of all persons liable to imprisonment under the orders and by-laws thereof or of any of the provisions of this act; and the sheriff or other keeper of such jail or other place of confinement or imprisonment shall receive and safely keep any person committed thereto as aforesaid until lawfully discharged. In all cases of imprisonment for breaches of such orders or by-laws such receiving and keeping in such jail shall be at the expense of the township. Such fine, penalty, or forfeiture and imprisonment for the violation of any such order or by-law shall be prescribed in the by-laws. Persons violating any such order or by-law shall be deemed guilty of a misdemeanor and shall be subject to arrest, fine, and imprisonment, except as herein restricted, the same as on convictions for other misdemeanors, and the arrest, trial, and commitment of any such person shall be the same as persons now guilty of any misdemeanor.

Power to prescribe fines, penalties, etc.

To have use of county jail.

Township to pay expense of imprisonment.

Violation of orders a misdemeanor.

SEC. 3. Said orders or by-laws where they impose a fine, penalty, or imprisonment, or both, shall not take effect for at least twenty days after adoption; and shall in all respects, where not inconsistent with the provisions of this act, be enacted, adopted, and published the same as now provided for the enactment, adoption and publication of the by-laws under the general laws of this State.

When orders, etc., to take effect.

This act is ordered to take immediate effect.

Approved April 8, 1901.

[No. 378.]

AN ACT to provide for placing sand-boxes upon motor cars on all electric railroads within the county of Saginaw, State of Michigan, and to provide a penalty for violations of said act.

The People of the State of Michigan enact:

Sand boxes to
be placed
upon cars.

SECTION 1. That on and after the first day of September, one thousand nine hundred and one, every person, company or corporation owning or operating any electric railway wholly or partly in the county of Saginaw in the State of Michigan, shall cause to be placed upon each and every motor car then or thereafter owned or operated by such person, company or corporation, a sand-box of approved construction, and so arranged that sand can be conveniently and easily applied to the track rails, for the purpose of preventing the wheels of such cars from slipping, in starting or stopping the same: Provided, That no electric car shall be run upon any of the electric railroads within the county of Saginaw in this State after the first day of September, nineteen hundred and one, unless furnished with sand-boxes as provided by this act.

Proviso.

Penalty for
violation.

SEC. 2. Any person, company, or corporation owning or operating electric railways, violating the provisions of this act shall forfeit for each and every car not so equipped on and after the first day of September, nineteen hundred and one, the sum of ten dollars. Said penalty to be collected in an action to be brought by the prosecuting attorney for the county of Saginaw before any court of competent jurisdiction in said county. Said penalty when so collected to be paid into the county treasury and credited to the general fund.

Approved April 8, 1901.

[No. 379.]

AN ACT to provide for the obtaining of jurors in justice courts in the city of Flint, and for the better administration of justice therein.

The People of the State of Michigan enact:

Supervisors
to file list of
names.

SECTION 1. That each of the supervisors in the several wards of the city of Flint, county of Genesee and State of Michigan, shall, between the fifteenth and the thirty-first days of December of each year, file with, and return to each of the justices of the peace, of the city of Flint a separate list

of names, consisting of one person for every twenty-five electors in the ward of which he is the supervisor; as shown by the poll list of said ward at the last preceding municipal election, who shall be duly qualified electors under the laws of the State of Michigan; and residing in the respective wards from which the lists are returned by said supervisor, which list of names, when so returned, shall be and constitute, and be known as the jury list for the year beginning January first thereafter: Provided however, That the same names shall not be returned by such supervisors for two consecutive years. Proviso.

SEC. 2. It shall be the duty of each of said justices to place the names appearing on each of said lists of persons so returned, on slips of paper of uniform size, which said names of all persons so returned by the several supervisors to said justices of the peace shall be deposited by said justice in a box kept for that purpose, and in every trial where a jury is demanded whether a civil or criminal trial, it shall be the duty of said justice to draw out of said box, in consecutive order, in the presence of the parties to such cause to be tried, or in the presence of their attorneys, eighteen names from which each party to the action, then to be tried, shall reject six of such names, and in case of either party neglecting or refusing to reject such names; the justice of the peace shall then reject such names, and the six remaining names shall be and constitute the jury to try said cause, subject to the general laws of the State, relative to competency, qualification, exemptions and challenge of jurors in justice courts. It shall also be the duty of such justices of peace on the first day of January of each year, to take out of said box and destroy the names of the persons constituting the said jury list for the preceding year. Duty of justice relative to the drawing of names.

When lists to be destroyed.

SEC. 3. That if any of the jurors so selected and remaining, shall, upon examination, be found to be incompetent or disqualified to sit upon the jury, or excused by the justice he shall then draw out of said box other names to be substituted for such as are found to be incompetent, disqualified, or excused by the court. And when a satisfactory jury is obtained, it shall then be the duty of said justice of the peace to deposit in said box all the names drawn therefrom as herein provided. Proceedings when juror disqualified.

When jury is obtained.

SEC. 4. The issuing of the venire and service thereof upon each juror selected as herein provided, and the duties of the constable or other officer acting in said trial, and all other provisions of law relative to proceedings and trials in justices courts, not inconsistent with this act shall remain in full force and effect. Law in force.

SEC. 5. All acts and parts of acts and the provisions of the charter of the city of Flint inconsistent herewith, are hereby repealed so far as the same have heretofore applied to the city of Flint. Repealing clause.

This act is ordered to take immediate effect.

Approved April 9, 1901.

[No. 380.]

AN ACT to amend section three of chapter one of act number three hundred ninety of the local acts of eighteen hundred eighty-five, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five, and the amendments thereto.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That section three of chapter one, of act number three hundred ninety of the local acts of eighteen hundred eighty-five, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five, and the amendments thereto, be and the same is hereby amended to read as follows:

CHAPTER I.

Boundaries.

SEC. 3. The territorial limits of said city shall consist of all that tract of country in the county of St. Clair, bounded and described as follows, to wit: Commencing at a point in the national boundary line in St. Clair river where the same would be intersected by the section line projected between sections twenty-one and twenty-eight, in town six north, range seventeen east; thence running westerly along the center line of highway between said sections to its intersection with east line of the highway along the west line of said section twenty-one; thence running north along the east line of the highway between sections twenty-one and twenty to the center line of the highway running east and west between sections sixteen and twenty-one; thence running east along the center line of said highway to the east line of highway running north and south through the center of sections sixteen and nine; thence north along the east line of said highway to the north line of highway running east and west across the center of section nine; thence westerly along the north line of said highway to a point where the Indian reservation line intersects said highway; thence in a northwesterly direction along said Indian reservation line to the south line of the Bonhomme tract; thence northeasterly along the south line of said Bonhomme tract to the center of Black river; thence up the middle line of Black river to a point where the same would be intersected by the northwest corner of the McNeil tract in the township of Fort Gratiot; thence easterly along the north line of said McNeil tract to a point where the west line of Lakeside cemetery intersects the north line of said tract; thence north along the west boundary of said Lakeside cemetery, said line being the

west line of the east fractional part of section twenty-seven in town seven north, range seventeen east, to the north line of said section twenty-seven; thence east along the north line of said section twenty-seven and the north line of fractional section twenty-six to the westerly line of the highway known as Lakeside turnpike or extension of Gratiot ave.; thence northerly along the west line of said last named highway to the north line of section twenty-two; thence east along said north line of section twenty-two, town seven north, range seventeen east, to the national boundary line in Lake Huron, and thence southerly along said national boundary line in Lake Huron and River St. Clair to place of beginning.

This act is ordered to take immediate effect.

Approved April 9, 1901.

[No. 381.]

AN ACT to organize and incorporate the Bad Axe public schools and to confer certain powers on its board of education.

The People of the State of Michigan enact:

SECTION 1. That the territory embraced within the present limits of fraction [fractional] school district number four of the townships of Verona and Colfax, Huron county, Michigan, and such additional territory as shall hereafter be added to said district by its board of education, when authorized by the boards of school inspectors of said townships of Verona and Colfax, be and the same is hereby formed, organized and incorporated into a school district, with all the rights, powers and privileges and liabilities of school districts formed and organized under the general laws of this State, to be known and designated as "the Bad Axe public schools."

SEC. 2. That the present trustees of said fractional school district number four and their successors in office shall be and are the trustees and officers of the Bad Axe public schools; that they and each of them shall hold their offices as herein stated for the unexpired portions of the terms for which they were elected and until their successors are duly elected and qualified; that said trustees and their successors in office shall be hereafter known and designated as "the board of education" of said public schools and that nothing in this act shall interfere with the re-election of any member of said board of education.

Powers and
duties of
board.

SEC. 3. That from and after the passage of this act said board of education shall have all the powers and privileges conferred upon union and graded school district boards of trustees by general law; that said board of education shall determine the number of months that school shall be taught; that said board of education shall employ a superintendent and such other teachers as are necessary for the proper instruction of the school; that all teachers so employed shall be examined by a committee consisting of the said superintendent of schools and such other person or persons as said board of education may designate; that all teachers employed by said board shall be considered legally qualified without any further examination or certificate from any other source; that all schools hereafter carried on in pursuance of this act, under the direction of said board of education, shall be public and free to all children actual residents within the limits of said district, between the ages of five and twenty years inclusive; that no privilege or power conferred by this act shall cause said Bad Axe public schools to forfeit any interest in, or right in or to, or moneys coming from any primary school fund or other fund to which said district would have been entitled had this act not been passed.

Schools free
to certain
children.

Rights and
obligations.

SEC. 4. That all the lands, school houses, sites, furniture, library, rights, property and effects of said fractional school district number four are hereby transferred to and are declared to be the property of the Bad Axe public schools, subject to all claims and indebtedness a charge upon the same at the date of the passage of this act; that said Bad Axe public schools are hereby authorized and empowered to collect all debts and obligations due to said fractional school district number four and is and shall be liable for all debts and obligations owing by said fractional school district number four.

When may
borrow money
and issue
bonds.

SEC. 5. That whenever it appears that the same can be done to the advantage of said Bad Axe public schools its board of education, when authorized by a majority of its qualified voters voting at any lawfully assembled meeting of said district, may borrow money to pay any bonded indebtedness of said district then existing and issue further bonds of said district therefor: Provided, That the notice of such meeting, whether annual or special, shall state the intention to take such vote.

Proviso.

Laws
applicable.

SEC. 6. That all sections of the general school laws of this State inconsistent with this act, are and the same shall be inoperative as to the said district but all sections of the general school laws of this State not inconsistent with this act are and the same shall be and remain in full force and effect in said district.

This act is ordered to take immediate effect.
Approved April 9, 1901.

[No. 382.]

AN ACT to amend section nine of act number three hundred eighty-six of the local acts of eighteen hundred ninety-five, entitled "An act to amend and revise act number four hundred and twenty of the local acts of eighteen hundred eighty-one, entitled 'An act to revise an act, entitled "An act to incorporate the board of education of the city of East Saginaw," approved June seventh, eighteen hundred eighty-one, as amended by act number three hundred and thirteen of the local acts of eighteen hundred eighty-five, approved April second, eighteen hundred eighty-five, and as further amended by act number four hundred fifty-eight of the local acts of eighteen hundred eighty-nine,' approved June twenty-nine, eighteen hundred eighty-nine, and to change the name of said board from 'the board of education of the city of East Saginaw,' to 'the board of education of the city of Saginaw, east side.'"

The People of the State of Michigan enact:

SECTION 1. That section number nine of act number three hundred eighty-six of the local acts of eighteen hundred ninety-five, entitled "An act to amend and revise act number four hundred and twenty of the local acts of eighteen hundred eighty-one, entitled 'An act to revise an act, entitled "An act to incorporate the board of education of the city of East Saginaw," approved June seventh, eighteen hundred eighty-one, as amended by act number three hundred thirteen of the local acts of eighteen hundred eighty-five, approved April second, eighteen hundred eighty-five, and as further amended by act number four hundred fifty-eight of the local acts of eighteen hundred eighty-nine,' approved June twenty-nine, eighteen hundred eighty-nine," be and the same is hereby revised and amended so that section nine of the charter of said board shall read as follows:

Section
amended.

SEC. 9. Said board shall, in the month of April, in each year, determine by resolution passed by a vote of the majority of all the members of said board, at any regular meeting the sum or sums necessary and proper for any or all of the following purposes:

Board to
determine
necessary
sums.

First. To lease, alter, repair and improve school houses and their outhouses, grounds and appurtenances, and to purchase sites and build school houses;

Improve
school houses,
etc.

Second. To purchase, exchange, repair and improve school apparatus, books, furniture, appendages, fixtures, text books and all other school supplies used in the public schools and said text books and supplies shall be loaned to the pupils of said public schools free of charge, subject to such rules and regulations as to care and custody as the said board may prescribe;

School
apparatus.

Fuel, lights,
etc.

Purchase of
books.

Salaries and
wages.

Third. To procure fuel and lights and defray all the necessary contingent expenses of the said board;

Fourth. To defray the expenses of and purchase books for the district library of said city, not to exceed in the aggregate the sum of two thousand dollars in any one year;

Fifth. To pay the salaries and wages of the superintendent and teachers in addition to the public moneys which may be by law appropriated and provided for that purpose: Provided, That the sums so authorized shall not exceed in the aggregate, in any one year, the sum of one per cent of the assessed valuation of said eastern taxing district as taken from the annual assessment roll of the preceding year.

This act is ordered to take immediate effect.

Approved April 9, 1901.

[No. 383.]

AN ACT to make the provisions of act number ninety-five of the laws of Michigan of the year eighteen hundred ninety-five, being chapter one hundred twenty-one of the compiled laws of eighteen hundred ninety-seven, relative to cities having a duly constituted police force applicable to school district number one, of the township of Portage, in the county of Houghton.

The People of the State of Michigan enact:

Certain laws
applicable to
school district.

SECTION 1. All provisions of act number ninety-five of the laws of Michigan of the year eighteen hundred ninety-five, being chapter one hundred twenty-one of the compiled laws of eighteen hundred ninety-seven, which relate to the compulsory education of children in cities having a duly constituted police force, are hereby made applicable to school district number one, of the township of Portage, in the county of Houghton, as the same is now or may hereafter be constituted, and that said provisions so applicable to such cities shall be in force within said school district, and may be enforced therein in the manner provided in said act.

This act is ordered to take immediate effect.

Approved April 9, 1901.

[No. 384.]

AN ACT to provide a sinking fund to pay the bonded indebtedness of the county of Wayne.

The People of the State of Michigan enact:

SECTION 1. At the annual meeting of the board of supervisors of the county of Wayne in October, nineteen hundred one, and every year thereafter, the board of auditors of said county shall include in its estimates for the ensuing year the sum of thirty thousand dollars, to be placed in a sinking fund to be used to purchase and relieve the bonds, issued by the county of Wayne, to purchase a site and erect a county building thereon, and for no other purpose. It shall be the duty of the board of supervisors to cause said amount to be placed upon the tax rolls of said county, and raised by general taxation in the same manner as other sums are raised by general taxation for each coming fiscal year. Nothing herein shall be construed to be a limitation upon the board of supervisors to make such other and further provisions for the payment of said bonds or the interest thereon as it may determine to be necessary.

To include amount in estimates for relief of bonds.

Amount to be taxed.

SEC. 2. The money raised under the authority of the preceding section shall be placed in a sinking fund by the county treasurer and shall not be used for any purpose whatever other than the payment of said bonds: Provided, The county treasurer with the consent and approval of said board of auditors made in writing, shall have power to contract with one or more banks for the payment of interest on said money or to invest the same temporarily in safe securities which may, at any time, be converted into cash. All interest accruing therefrom shall be credited to said fund.

Money, how used.

Proviso.

SEC. 3. Whenever there is sufficient money in said sinking fund, the board of auditors with the consent and approval of said board of supervisors shall have power to purchase and cancel any of said outstanding bonds before the same shall become due: Provided, They shall not pay more therefor than the par value and accrued interest.

May cancel bonds.

Proviso.

SEC. 4. No member of any board, officer or person shall direct, or, having control of said fund, shall permit the money in said fund to be used for any purpose, public or otherwise, other than that specified in this act.

To be used for specific purpose.

This act is ordered to take immediate effect.

Approved April 9, 1901.

[No. 385.]

AN ACT to empower and authorize the board of supervisors of Alpena county to purchase certain lands of the Alpena County Agricultural Society and others, for an agricultural county park, and authorizing Alpena County Agricultural Society to sell and convey certain lands for the purpose of paying its debts, and to purchase other lands and the improvement thereof.

The People of the State of Michigan enact:

Board of supervisors to purchase certain lands.

SECTION 1. It shall and may be lawful for the board of supervisors of the county of Alpena to ascertain upon what terms and conditions the land and real estate owned by the Alpena County Agricultural Society, and hereinafter described, can be purchased; and said board of supervisors are hereby authorized and empowered to appropriate from the contingent fund of said county a sum not to exceed three thousand dollars, to purchase and acquire the title to such land; and the said board of supervisors are hereby authorized and empowered to purchase and acquire the title to the following described lands, situated in the city of Alpena, county of Alpena and State of Michigan, and described as follows, to wit: Commencing at a point on Thunder Bay river where the section line crosses between sections twenty-one and twenty-two, in town thirty-one north, range eight east; and running south on said line fifty-two rods; thence at right angles west to the bank of the river at high water mark; thence down the river at high water mark to the place of beginning, being part of lot two in section twenty-one, town thirty-one north, range eight east, lying on the right bank of Thunder Bay river. The title to the land so purchased shall be in the county of Alpena, and said land shall be used as an agricultural county park, and for such other uses and purposes as said board of supervisors shall approve and determine.

Territory described.

Alpena county agricultural society authorized to sell.

SEC. 2. The Alpena County Agricultural Society is hereby authorized and empowered to sell and convey its real estate to Alpena county for the purpose of raising money to pay its debts, and to purchase other lands and improve the same. Said sale shall be determined at a stockholders meeting as they may deem for the best interests of said society. Said sale and conveyance shall be in conformity with the provisions of section three of this act.

Call for meeting to consider sale.

SEC. 3. Whenever the board of directors of the said Alpena County Agricultural Society shall, by resolution duly adopted, declare that a special meeting of the stockholders shall be held for the purpose of considering the question of the sale of said society's real estate, the secretary of the society shall issue a call for such special meeting of the stock-

holders of the society, which call shall be countersigned by the president of the society, and shall contain a copy of the resolution adopted by the board of directors relative thereto; and it shall be the duty of the secretary to mail a copy of said call to each of the stockholders of said society, and publish the same at least once a week for two successive weeks prior to the date for which such meeting is called, in some newspaper printed and published in the county of Alpena. And if at such stockholders meeting, held in pursuance of the before mentioned call, a majority of the stockholders present shall vote therefor, it shall be competent and valid for the president and secretary of said society to sell and convey the lands and real estate of said society to Alpena county at such price as shall be determined by said society and not otherwise. When may
sell and
convey lands.

SEC. 4. The moneys received by the president and secretary of said society as the purchase price of said society's lands, shall be used in paying the indebtedness of said society, and in purchasing other lands and the improvement thereof. Money, how
used.

This act is ordered to take immediate effect.

Approved April 9, 1901.

[No. 386.]

AN ACT to provide for two regular sessions of the board of supervisors of the county of Muskegon each year, to define certain powers and duties of said board and to confer upon it certain local administrative and legislative powers.

The People of the State of Michigan enact:

SECTION 1. The supervisors of the several townships and cities in the county of Muskegon shall meet twice in each year for the transaction of business as a board of supervisors; they may also hold special meetings when necessary, at such times and places as they may find convenient, and shall have power to adjourn from time to time as they may deem necessary. The first regular meeting of the board of supervisors shall be held upon the first Monday in May, and the second regular meeting upon the second Monday of October in each year at the court house, if there be one, and if there be none, then at some place at the county seat, of which said clerk shall give three weeks public notice by publishing the same in some one or more newspapers printed and circulated in said county: Provided, That but one legal newspaper rate for printing the same shall be allowed. To meet twice
a year.

First meeting.
Second.

Proviso.

Quorum,
powers and
duties.

To sit with
open doors.

Chairman may
administer
oath, etc.

Proviso.

Compensa-
tion.

Proviso as to
limit of.

Proviso as to
committees.

SEC. 2. A majority of the supervisors of the county shall constitute a quorum for the transaction of the ordinary business of the county, and all questions which shall arise at their meetings shall be determined by the votes of a majority of the supervisors present, except upon the final passage or adoption of any measure or resolution, or the allowance of any claim against the county or expenditure of any money, in which cases the votes of a majority of all the members elect shall be necessary. They shall sit with open doors and all persons may attend their meetings. They shall, at the first regular meeting to be held on the first Monday in May in each year, choose one of their number as chairman, who shall preside at all meetings of the board during the year, but in case of his absence from any meeting the members present shall choose one of their number as temporary chairman. Every chairman of the board of supervisors shall have power to administer an oath to any person concerning any matter submitted to the board, or connected with the discharge of their duties, to issue subpoenas for witnesses and to compel their attendance in the same manner as courts of law, and it shall be his duty, if so directed by resolution of the board of supervisors of which he is chairman, to be in attendance at the office of the county clerk upon the last Thursday in each calendar month for the purpose of signing orders: Provided, That no such chairman shall sign any order in blank. For which service he shall receive the same compensation as allowed supervisors, but in no case to exceed the sum of forty dollars.

SEC. 3. Every member of such board of supervisors shall be allowed a compensation of three dollars per day for his services and expenses in attending the meetings of said board and six cents a mile for each mile necessarily traveled in going to and returning from the place of such meeting: Provided, That no supervisor shall be allowed pay for more than one day for each twenty-four hours that the board of supervisors shall be in session; to be audited by the board and paid by the county, which compensation of three dollars per day shall extend to and be allowed for the first three days of the regular meeting to be held on the first Monday in May only, for the first twelve days of the regular October meeting only, six days only of an adjourned session of said board, and the first three days only of special sessions of said board, of which special sessions there shall be no more than two in any one official year, which said amount shall be in full for all services rendered and expenses in attending the meetings of such board of supervisors and for all services and expenses incurred while acting upon any committee of said board of supervisors during the session of said board: Provided, That members of committees appointed by said board of supervisors and acting while the board is not in session shall be allowed such compensation as the board of supervisors shall

determine, not to exceed three dollars per day which shall include all expenses. Any supervisor receiving any other compensation for such services shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars.

SEC. 4. The general laws of this State relating to boards of supervisors shall apply to the board of supervisors of Muskegon county, except as in this act otherwise provided. General laws to govern.

This act is ordered to take immediate effect.

Approved April 9, 1901.

[No. 387.]

AN ACT to confirm the organization of school district number seven, fractional, of Lansing and Meridian townships, in the county of Ingham.

The People of the State of Michigan enact:

SECTION 1. That the organization of school district number seven, fractional, of Lansing and Meridian townships, in the county of Ingham, as is shown by the records of the township boards and boards of school inspectors of said townships was intended to be done, is hereby confirmed and the omission on the records of the proof of the posting of the notices as required by law shall not operate to defeat the action which is shown by the records to have been in good faith and intent by the several boards whose action was necessary in the premises; and said "school district number seven, fractional, of Lansing and Meridian" shall be and remain a legally organized school district until otherwise ordered by legislative enactment. Organization confirmed.

This act is ordered to take immediate effect.

Became a law without the signature of the Governor April 10, 1901.

[No. 388.]

AN ACT to amend act number four hundred forty-six of the local acts of the legislature of the State of Michigan, passed at the regular session of A. D. eighteen hundred eighty-nine, entitled "An act to incorporate the public schools of Calumet, Houghton county, Michigan," by adding a section thereto to be known as section number twenty.

The People of the State of Michigan enact:

Act amended. SECTION 1. That act number four hundred forty-six of the local acts of eighteen hundred eighty-nine, entitled "An act to incorporate the public schools of Calumet, Houghton county, Michigan," be amended by adding a new section thereto to stand as section twenty, and to read as follows:

Parents, etc., required to send children to school. SEC. 20. That every parent, guardian or other person in school district numbered "one" of Calumet township, Houghton county, Michigan, having control and charge of any child or children between the ages of seven and sixteen years, shall be required to send such child or children to the public schools of said school district numbered "one," beginning on the first Monday of the first term of each year, and such attendance shall be consecutive until each and every pupil between the ages of seven and sixteen years shall have attended school the entire school years previous to the thirtieth day of June in each school year: Provided, If it be shown that any such child or children are being taught in a private school in such branches as are usually taught in the public schools, or have already acquired the ordinary branches of learning taught in public schools, or if the person or persons in parental relation to such child or children present a written statement that such child or children is or are physically unable to attend school, the truant officer or district board may employ a reputable physician to examine such child or children, and if such physician shall certify that such child or children is or are physically unable to attend school, such child or children shall be exempt from the provisions of this act: Provided further, That the school board may on the recommendation of the superintendent of schools and of the truant officer, exempt children over fourteen years of age from attendance at school for either a part or for the whole of the time until they shall severally reach the age of sixteen years.

Proviso.

Further proviso.

This act is ordered to take immediate effect.

Approved April 11, 1901.

[No. 389.]

AN ACT to provide for the manner of voting in all political conventions in Kent county.

The People of the State of Michigan enact:

SECTION 1. That hereafter in all political conventions of delegates elected in the county of Kent for the nomination of public officers, or for the purpose of electing delegates to any State or congressional convention, a roll of the wards or townships in said county shall be called by the secretary of said convention. Roll of wards to be called.

SEC. 2. That upon the calling of the roll of said wards or townships by the said secretary, in convention assembled for the aforesaid named purposes, the chairman of the said several delegations of said wards or townships shall arise and announce the number of votes in said delegation for or against any person, candidate, delegate or delegates to be voted for by said convention. Chairman to announce number of votes.

SEC. 3. That any delegate to said convention shall have the right to challenge the vote as announced by the chairman of any delegation, and upon such challenge the chairman of said convention shall authorize the poll of said delegation to be taken: Provided, That no chairman of any delegation shall announce the vote or votes of any delegate or delegates who are absent at the time of voting: Provided further, That any candidates nominated or delegates elected not in accordance with the provisions of this act shall be void. Right of challenge. Proviso. Further proviso.

Approved April 11, 1901.

[No. 390.]

AN ACT to incorporate the public schools of the township of Alpena, Alpena county.

The People of the State of Michigan enact:

SECTION 1. That the territory embraced within the township of Alpena, in the county of Alpena, be and the same is hereby declared to be a single school district, which shall be a body corporate by the name and style of "the public schools of the township of Alpena" and by that name may sue and be sued for all school debts contracted by the board of education, and shall be subject to all the general laws of this State relating to corporations, so far as the same may be applicable, and said district shall have all the powers and Public schools incorporated. Name, etc.

	privileges conferred upon school districts and union schools by the general laws. And all schools in said district and all schools hereafter organized therein in pursuance of this act, under the directions and regulations of the board of education, shall be public and free to all persons actual residents within the limits thereof above the age of five years.
To be public and free.	
Officers, etc.	SEC. 2. The officers of said district shall consist of six trustees who shall constitute the board of education of said district and whose term of office shall be three years each
When elected, etc.	and until their successors are elected and qualified. Said trustees shall be elected by ballot on the second Tuesday of the month of July in each year when a vacancy shall occur in any election district under this act. Each two adjoining school districts as now constituted and existing in said township shall, for the purpose of such election of members of the board of education, as now constituted, be one election district within which at such election, one member of the board of education shall be elected in the same manner as near as may be as school officers are required by law to be elected, and said members shall be actual residents and taxpayers of said election district wherein they are elected: Provided, That the first election under this act shall be held on the second Tuesday in July, in the year one thousand nine hundred one, at which time there shall be six trustees elected; one trustee from each of the two adjoining districts of said township as they now exist, to be grouped for election purposes as follows: All territory now included in primary school districts known as numbers one and two shall constitute and be known as election district number one; all territory now included in primary school districts known as numbers three and four shall constitute and be known as election district number two; all territory now included in primary school districts known as numbers five and six, with all unorganized territory adjacent thereto, shall be known and constitute election district number three; all territory now included in primary school districts known as numbers seven and eight shall be known and constitute election district number four; all territory now included in primary school districts known as numbers nine and ten shall be known and constitute election district number five; all territory now included in primary school districts known as numbers eleven and twelve, with all unorganized territory adjacent thereto, lying and being south of Thunder Bay river shall be known and constitute election district number six.
Proviso as to first election.	
Election districts.	The term of office of said members so elected at said first election, shall be as follows: Two trustees for one year; two trustees for two years; two trustees for three years from the said second Tuesday in July, in the year one thousand nine hundred and one and until their successors are elected and qualified. Their terms of office shall be determined for said first terms by lot as provided for justices of the peace in new townships by chapter nineteen of Howell's annotated stat-
Term of office.	
First terms, how determined.	

utes of Michigan, said trustees being designated on the ballots at such election "for members of the board of education": And provided, That the township board shall fix the place in each of said election districts where said election therein shall be held. The polls of said election in each of said election districts shall be opened at ten o'clock in the forenoon of the said second Tuesday in July and remain open until three o'clock in the afternoon of said day, and the electors present at the opening of the polls shall choose by viva voce from those present, three inspectors for such election and at the close of the polls said inspectors shall immediately thereafter publicly canvass the votes so cast for member of the board of education and announce the result of such election and the person receiving the highest number of votes at such election, shall be declared elected, and prepare and certify to a statement in writing of the number of votes cast for each candidate at such election and certify the result thereof to and file the same with the township clerk of the township of Alpena.

Proviso.

Polls, when to open and close.

Canvass of votes.

SEC. 3. Within five days after such election the township clerk shall notify in writing the persons elected trustees under this act of their election, and within five days thereafter said trustees so elected, shall take and subscribe the oath of office prescribed by the eighteenth article of the constitution, before the township clerk, or some other officer authorized to administer oaths, and file the same with the township clerk, who shall record the same in the records of proceedings to be kept by said board of education, and the term of office of the trustees of said district shall commence on the third Monday of July following such election at which they were elected.

Clerk to notify persons elected.

To subscribe oath.

SEC. 4. The township clerk of said township of Alpena shall be ex officio clerk of said board of education, and shall perform such duties as the board may require, but shall not be entitled to vote therein, and in case of the absence of said clerk, the board may by resolution choose some suitable person to perform such duties.

Ex officio clerk.

SEC. 5. The said trustees shall meet on the third Monday of July in each year at the township clerk's office and organize by electing from their own number, a president and treasurer who shall severally hold their offices for one year from said third Monday of July and until their successors are elected and qualified and may at any time fill by a new election, any vacancy that may occur in the office of trustee until the next annual election, each trustee so chosen shall, within ten days thereafter, file with the clerk of said board, the oath of office as prescribed in section three of this act.

When to meet and organize.

Vacancy, how filled.

SEC. 6. The majority of the members of such board shall constitute a quorum and the regular meeting of such board shall be held on the third Monday of July, December, March and April in each year, and no notice of such meetings shall

Quorum, regular meetings, etc.

Where held.	be required, and the president and clerk, or any two members of said board, shall be sufficient to adjourn any meeting from time to time until a quorum is present, and special meetings of said board may be called at any time on request of the president, or two members of said board in writing, delivered to the clerk, and the clerk upon receiving such request shall at once notify in writing each member of said board, if within said district, of the time of holding such meeting, which shall be at least three days subsequent to the time of receiving such request by said clerk. All meetings of said board shall be held at the township clerk's office unless otherwise directed by resolution of the board, and all the records and papers of said district shall be kept in the custody of said clerk and shall be open to the inspection of any legal voter of said district.
Disposition of property.	SEC. 7. All the school property, real and personal, within the limits of the township of Alpena heretofore belonging to the different primary school districts in said township of Alpena shall by force of this act become the property of said public schools of said township of Alpena hereby organized; and all the credits of the several primary school districts at the passage of this act shall belong to said public schools of the township of Alpena hereby organized and all the indebtedness of the several primary school districts at the time of the passage of this act shall be assumed and paid by the public schools of the township of Alpena hereby organized.
Powers and authority of board.	SEC. 8. The board of education of said district shall have power and authority to designate and purchase school house sites, erect buildings and furnish the same, with a majority vote of said district board, and shall have power to employ teachers, provide books for district library, to make by-laws, regulate the taking of the census of all children in said district between the ages of five and twenty years, to make all necessary reports and transmit the same to the proper officers as designated by law so that the said district may be entitled to its proportion of the primary school funds, and said board shall have authority to make all needful regulations and by-laws relating to visitation of schools, relating to regulations of schools, and the books to be used therein: Provided, Their acts are not in conflict with any general law relative to text books, and generally to do all things needful and desirable for the maintenance, prosperity and success of the schools of said district and the promotion of the thorough education of the children thereof; and it shall be the duty of such board to apply for and receive from the county treasurer or other officers holding the same, all moneys apportioned for primary schools and the district library of said district and may adopt such by-laws and rules for their own procedure as they may deem necessary.
Proviso.	

SEC. 9. The board of education at their regular meeting on the third Monday in July in each year shall make an estimate of and determine the amount of money deemed necessary to be raised by taxes for the ensuing year for all purposes of expenditure within the powers of said board, which estimates shall specify the amounts required for the different objects of expenditure and such shall be entered in the records of proceedings of said board; and the clerk of said board shall, within twenty days thereafter, make a written report of the amount of taxes estimated and determined to be necessary, and certify the same to the supervisor of said township of Alpena, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as in other township taxes: Provided, That for purchasing school lots and erecting school houses no greater sum than five mills on the dollar of all the taxable valuation of the real and personal property of said district shall be levied in any one year, for not more than five years after the passage of this act.

When to make estimate of expense.

Estimates to be certified to supervisor, etc.

Proviso.

SEC. 10. The treasurer of the board shall have the keeping of all school and library money and shall not pay out the same without the authority of said board upon warrants or orders drawn upon him and signed by the clerk and countersigned by the president; and said treasurer shall, before entering upon the duties of his office, give a bond to said district in such sum and with such securities as said board shall determine, conditioned for the faithful performance of his duties and honest accounting for all moneys coming into his hands belonging to said district.

Treasurer to be custodian of funds.

To give bond.

SEC. 11. The said board shall annually, and on the third Monday of March in each year, make a detailed statement of the number of schools in said district, the number of teachers employed and the number of pupils instructed therein during the preceding year, and the expenditures of said board for all purposes, and also the resources and liabilities of said district which report or statement shall be entered at length in the records of said board and shall be publicly read by the president, or in his absence, by the clerk thereof, to the electors of the township of Alpena at their annual township meeting on the first Monday of April thereafter, between the hours of twelve o'clock noon, and three o'clock in the afternoon.

Annual statement of board, what to contain.

SEC. 12. The treasurer of the township of Alpena shall at any time at the written request of said board of education, report to the said clerk the amount of school money in his hands, and shall, on the order of the president of said board, pay to the treasurer of said board all such money, taking his receipt therefor, and also a duplicate receipt which shall be filed with the clerk of said board.

Township treasurer to report upon request.

Tax to be in
separate
column.

SEC. 13. All taxes assessed within said township of Alpena for school purposes shall be set forth in the assessment roll of said township in a separate column, apart and distinct from all other township taxes.

Compensa-
tion.

SEC. 14. The compensation of the trustees and clerk of the board shall be one dollar and fifty cents for each day's actual service rendered for said district to be audited by the said board of education at its regular meeting.

Officers to act
in case of
division of
townships.

SEC. 15. When the township district hereby incorporated shall be divided into two or more townships, the existing board of trustees shall continue to act for all the townships until the same have been organized and township boards of trustees duly elected and qualified therein. Immediately after such organization, the township boards of each of the townships shall meet in joint session and direct an appraisal of all the school property of the former township to be made. When such appraisal has been made, said township boards shall make an equitable division of the existing assets and liabilities of the school district of such former township, basing their apportionment upon the amount of taxable property in the township divided, as shown by the last assessment roll of such former township. When a township district shall be altered in its limits by annexing a portion of its territory to another township or townships, the township boards of each of the townships shall, immediately after such alteration, meet in joint session and make an equitable division of the assets and liabilities of the school district of the township from which the territory has been detached, basing their division upon the amount of taxable property, as the same shall appear upon the last assessment roll of such township: Provided, That whenever any surveyed township in the present organized township of Alpena is set apart and organized as a separate township, the schools in such new township shall be governed by and conducted in accordance with the general laws of the State relative to public instruction and primary schools: Provided, That nothing herein contained shall effect or change the condition of fractional school district number thirteen, so called, or such part of said fractional school district as lies within the boundaries of the said township of Alpena.

Proviso.

Proviso as to
fractional
school dis-
trict number
thirteen.

This act is ordered to take immediate effect.

Approved April 11, 1901.

[No. 391.]

AN ACT to amend an act entitled "An act to incorporate the city of Manistique, in the county of Schoolcraft, as a city of the fourth class and to repeal all acts or parts of acts relative to the incorporation of the village of Manistique," approved February seventh, one thousand nine hundred and one, by adding thereto a new section relative to the terms of office of the justices of the peace in said city.

The People of the State of Michigan enact:

SECTION 1. That an act entitled "An act to incorporate the city of Manistique, in the county of Schoolcraft, as a city of the fourth class and to repeal all acts or parts of acts relative to the incorporation of the village of Manistique," approved February seventh, one thousand nine hundred and one, be and the same is hereby amended by adding a new section thereto, to be known as section fourteen, to read as follows: Act amended.

SEC. 14. The terms of office of the justices of the peace in said city of Manistique shall begin on the second Monday of April of the year when elected, and each justice of the peace elected in said city shall take and subscribe his oath of office and file same as required by law of justices in townships, except that the same shall be filed within ten days after receiving notice of election, and shall within the same time file such security or securities for the performance of the duties of his office as required by law: Term of office, oath, etc. Provided, That Proviso. each justice of the peace elected at the first election in said city shall take and subscribe his oath of office and file same and file such security or securities for the performance of the duties of his office within ten days after the passage and approval of this act.

This act is ordered to take immediate effect.

Approved April 11, 1901.

[No. 392.]

AN ACT creating a single school district in the city of St. Clair, county of St. Clair and State of Michigan, to be known as the "public schools of the city of St. Clair."

The People of the State of Michigan enact:

Single school
district
incorporated.

SECTION 1. That all the territory within the corporate limits of the city of St. Clair, county of St. Clair and State of Michigan, shall hereafter constitute and be a single school district, such district to be a body corporate to be known by the name and style of the "public schools of the city of St. Clair," and shall be subject to all the provisions of chapter thirty-two of act number two hundred fifteen of the public acts of eighteen hundred ninety-five, as amended, except in so far as the provisions of such act may be inconsistent with the provisions of act number three hundred eighty-four of the local acts of eighteen hundred ninety-nine.

This act is ordered to take immediate effect.

Approved April 11, 1901.

[No. 393.]

AN ACT to amend act number four hundred and fifty of the local acts of eighteen hundred and ninety-nine, entitled "An act to authorize the sale of tax lands located within the limits of the city of North Muskegon and other lands located in said city and bid off to the State for unpaid taxes and now held by the State as State tax bids at less than the total of taxes, interest and other charges against said lands," approved June fifteenth, eighteen hundred and ninety-nine, by amending sections two and three and to repeal all acts and parts of acts inconsistent therewith.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections two and three of act number four hundred and fifty of the local acts of eighteen hundred ninety-nine, entitled "An act to authorize the sale of State tax lands located within the limits of the city of North Muskegon, and other lands located in said city and bid off to the State for unpaid taxes, and now held by the State as State tax lands, at less than the total of taxes, interest and other charges against said lands," be and the same are hereby amended so as to read as follows:

SEC. 2. Until the annual tax sale in the year nineteen hundred two all lands in said city of North Muskegon held by the State as State tax lands, or as State bids, shall be subject to sale at the office of the Auditor General to any person applying therefor for the total amount of State and county taxes, together with the interest and other charges thereon, and fifty per centum of the city and other taxes charged against said lands, at the time such application shall be made, for all years prior to the year eighteen hundred ninety-nine: Provided, That the person applying therefor shall, at the time of his application, pay in full all taxes charged against the lands applied for, for the year eighteen hundred ninety-nine and the years subsequent thereto, together with the interest and charges thereon. Upon such sale the Auditor General shall execute proper conveyance or assignment whereby the interest in said lands held by the State at the time of such application shall be transferred to the purchaser, subject to the provisions of act number two hundred twenty-nine of the public acts of eighteen hundred ninety-seven and acts amendatory thereto.

Certain lands
subject to
sale.

Proviso.

Auditor
General to
execute
conveyances.

SEC. 3. At the annual tax sale in nineteen hundred two all State tax lands in said city of North Muskegon shall be offered for sale pursuant to law, to the highest bidder on the city and other taxes for years prior to eighteen hundred ninety-nine, exclusive of State and county taxes, and the purchaser thereof shall be required to pay in full all State and county taxes charged against said lands and the interest and other charges thereon, and all taxes, interest and charges for the year eighteen hundred ninety-nine and subsequent years in addition to the amount of his bid. The amount of the purchasers' bid shall belong to the city of North Muskegon and all city and school taxes charged against said lands in excess of said bid shall be canceled by said sale.

When to be
offered for
sale pursuant
to law.

Purchasers'
bid to belong
to city.

SEC. 2. All acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed.

Repealing
clause.

This act is ordered to take immediate effect.

Approved April 12, 1901.

[No. 394.]

AN ACT to authorize the township of Grant in the county of Iosco and State of Michigan to borrow money to be used in the payment of certain judgments against said township and to issue its bonds therefor.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

Proviso as to
election.

When and
how issued.

Proceeds of
sale of bonds
how used.

To levy tax
for payment.

SECTION 1. That the township of Grant in the county of Iosco is hereby authorized to borrow money on the faith and credit of said township and to issue bonds therefor to the amount of five thousand dollars for a term not exceeding fifteen years from the date of issue and to execute the coupon bonds of the said township bearing interest at six per cent per annum payable semi-annually: Provided, That the qualified electors of said township voting at any regular or special election called for the purpose under the laws governing township elections, shall by two-thirds majority vote decide in favor of said loan. If such loan shall be authorized at said election said bonds may be issued payable at such time and place and in such amounts as the township board shall determine and shall be signed by the supervisor and countersigned by the clerk of said township and negotiated under the direction of said board. The proceeds of the sale of said bonds shall be used only for the purpose of paying judgments heretofore obtained against said township of Grant in the United States circuit court for the eastern district of Michigan. The township board shall have power and it shall be their duty to raise by tax upon the taxable property of said township such sum or sums as shall be sufficient to pay the amount of said bonds and the interest thereon as fast as the same shall become due.

This act is ordered to take immediate effect.

Approved April 12, 1901.

[No. 395.]

AN ACT to amend chapter seven of act number three hundred ninety of the local acts of eighteen hundred eighty-five, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five, and the amendments thereto by adding thereto one new section to stand as section sixty-two.

The People of the State of Michigan enact:

SECTION 1. That chapter seven of the local acts of eighteen hundred eighty-five, entitled "An act to amend and revise the charter of the city of Port Huron" be and the same is hereby amended by adding thereto a new section to stand as section sixty-two of said chapter. Chapter amended.

SEC. 62. In addition to the powers already conferred by this chapter upon the common council, whenever, in the opinion of said common council it is necessary for the benefit of the public health of the inhabitants of the city of Port Huron that a canal, connecting the waters of Lake Huron and Black river at some point near the northern limits of said city of Port Huron, whether inside or outside of said limits, should be constructed, the said common council is hereby authorized and empowered to bond the city of Port Huron in a sum not exceeding one hundred thousand dollars, for the purpose of constructing a canal and purchasing the right of way for said canal, to connect the waters of Lake Huron and Black river at any point near the northern limits of the city of Port Huron, inside or outside of said city limits; and the said common council is also empowered to award a contract for the construction of said canal to any responsible person or persons, firm or corporation, the cost thereof not to exceed one hundred thousand dollars. The said bonds when issued shall be negotiated at as low a rate of interest as possible and the funds received therefrom shall constitute a special fund known as the "canal construction fund" and no part of said funds shall be used for any other purpose whatever other than the construction of said canal, which shall include the purchase of the right of way, and any and all expenditures of money to be paid out of the said funds, shall be first authorized by a majority vote of the board of canal commissioners and a majority vote of the aldermen elect of the common council of the city of Port Huron. Powers of council relative to construction of canal.

SEC. 2. All acts or parts of acts contravening the provisions of this act are hereby repealed. Acts repealed.

This act is ordered to take immediate effect.

Approved April 16, 1901.

[No. 396.]

AN ACT to amend section one of act four hundred twelve of the local acts of eighteen ninety-seven, the same being an act to amend section one of act four hundred fifty-eight, laws of eighteen seventy-one, entitled "An act to provide for the publication of lists of claims allowed by the board of county auditors for the county of Wayne."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section one of act four hundred twelve of the local acts of eighteen ninety-seven, the same being an act to amend section one of act four hundred fifty-eight, laws of eighteen seventy-one, be and hereby is amended to read as follows:

Who to pre-
pare list of
claims.

SECTION 1. It shall be the duty of the clerk of the board of county auditors for the county of Wayne, within the first ten days of the month of May of each year, and every alternate month of each year thereafter, to prepare an accurate list of all claims allowed by the said board during the then next preceding two months, which list shall exhibit the name of claimant, the consideration of services, and the amount allowed in each case, which list he shall cause to be published, within five days after it is prepared, in not more than two daily, and in three weekly papers published in the county of Wayne, to be designated by the said board of county auditors (two of which said weekly papers shall be printed and published outside the city of Detroit). Said board of county auditors shall not hereafter be required to publish annually a list of claims allowed by them as now provided by law.

List, when
and how
published.

This act is ordered to take immediate effect.

Approved April 17, 1901.

[No. 397.]

AN ACT to provide for the retirement of aged and disabled policemen employed by the city of Saginaw, and for the payment of pensions to the wives and children and widowed mothers of policemen killed in the service of the city of Saginaw.

The People of the State of Michigan enact:

When mem-
ber may be
placed on
retired list.

SECTION 1. Whenever a member of the police force of the city of Saginaw shall have been disabled or incapacitated while in the actual performance of his official duty; and whenever any member of said police force or other person

in the employment of the police board of said city of Saginaw, who has performed faithful service as such member or employe for a period not less than twenty-five years, shall have become permanently incapacitated from performing regular active duty, he may be retired by the board of police commissioners from regular active service and placed on the retired list. Such member when so retired shall be paid annually, in equal monthly payments, a sum not exceeding six hundred dollars, or a sum equal to one-half the annual pay received by him at the time of his retirement, if the city physician or some other competent physician authorized by the police board to act in the premises, shall certify to the police board in writing, that he is permanently physically or mentally incapacitated from regular active duty, which finding shall be approved by said board of police commissioners by resolution made of record by said board: Amount to be paid annually. Provided, That no member of said force shall be so retired until he has been duly notified by said board of its intention to so retire him and he has been heard in opposition thereto: Proviso. Provided further, That said board of police commissioners may place on the retired list any person who became totally disabled while in the employment of said commissioners prior to the passage of this act. Further proviso.

SEC. 2. Officers and policemen on the retired list shall be subject to the orders and discipline of the board of commissioners, shall perform such duties as may be required of them and shall be subject to punishment in the same manner as officers and policemen in the regular active service. Subject to certain orders, etc.

SEC. 3. Said board of police commissioners may at any time require officers or policemen on the retired list to be re-examined by the city physician or some other competent physician authorized by said board to act in the premises, and if on such re-examination they are reported capable of performing regular duty, they may be required by said board to return to regular duty and full pay. Subject to re-examination.

SEC. 4. In case any person in the employment of the board of police commissioners of the city of Saginaw shall be killed while in the discharge of his duty, or shall receive injuries which shall result in his death within one year thereafter, the wife or children, or if there be no wife or children, the dependent parent or parents of such person, shall by a vote of four-fifths of the said board of police commissioners, be paid a pension for a period of five years. The wife shall receive the sum of three hundred dollars annually in twelve monthly payments of twenty-five dollars each, during the term of five years, until she re-marries or dies, in which case all payments of moneys under this act to such widow shall cease, but shall be paid to such children as shall be under the age of sixteen years at the time of the re-marriage or death of the widow, the money to be divided equally How and to whom pensions paid.

among such children. Such child or children shall receive in equal payments according to the number of such children, the same amount as would have been paid the widow, such payments to be paid monthly as hereinafter provided, and continued until such child or children shall have attained the age of sixteen years unless they die before reaching that age, but not for a longer period than five years. If there be no widow or children, then the dependent parent or parents may receive the same benefits as are provided in this act for the widow. The moneys for the payments of such pensions shall be collected and paid in the manner hereinafter provided.

To whom
applied.

SEC. 5. Nothing in this act shall be construed to apply to special policemen, nor to policemen appointed at the request, and expense of private parties, nor shall any person in the actual receipt of a pension for injuries received as a member of said police force, draw any pay under the provisions of this act.

Pensions paid
from certain
fund.

SEC. 6. Said retired officers and policemen shall be paid out of any fund known as "police fund" and in case there is not sufficient money in the police fund to pay said retired policemen or pensioners as provided in this act, the same shall be paid out of money belonging to the general fund, which shall be estimated and raised by taxation in the same manner as other expenses in maintaining the police force of the city of Saginaw. Persons on the retired list shall be paid at the same time and in the same manner as the regular members of the police force. When the widow or children, or parent or parents, shall make application for a pension to the board of police commissioners, through the secretary of the board, on a form to be provided by said board, accompanying such application shall be the proof of the marriage of the deceased with the widow claimant, such proof to be established by the marriage certificate or other competent evidence of the marriage relation. Proof of the birth of the children shall be shown by the certificate of the attending physician or by other competent proof and in case of the parent or parents, satisfactory proof of the parentage shall be shown. All applications and proofs shall be retained in the custody of the board of police commissioners and whenever such application for pensions are allowed by said board of police commissioners, due notice of such action with the names of all the pensioners shall be given to the controller of the city of Saginaw, who shall cause such persons to be registered in his office as pensioners of the police department of the city of Saginaw.

Persons, when
paid.

Application
for pension,
when made.

Approved April 18, 1901.

[No. 398.]

AN ACT to detach certain territory in school district number three in the townships of Marion and Bridgehampton in the county of Sanilac from said district, and establish the Deckerville high school district.

The People of the State of Michigan enact:

SECTION 1. So much of the township of Marion in the county of Sanilac as is included in the following descriptions and boundaries, and now within the corporate limits of school district number three of the townships of Marion and Bridgehampton, viz.: The north half of sections thirty-one, thirty-two and thirty-three and the whole of sections twenty-eight, twenty-nine and thirty shall be detached and set off from said district number three, and shall constitute a single school district, to be known and designated as the Deckerville high school district, and such school district shall have all the powers and privileges conferred upon school districts and union, graded and high school districts by general law, and hereafter all schools organized therein in pursuance of this act, under the direction and regulation of the school board shall be public and free to all children actual residents within the limits thereof, between the ages of five and twenty years inclusive.

Territory detached.

What to constitute.

SEC. 2. The officers of said district shall consist of five trustees, whose term of office shall be two years, two of whom shall be elected by ballot at the annual meeting to be held in said district on the first Monday in July in each year; except in every third year after the first election, one shall be elected at said annual meeting. The trustees shall meet and elect from their own number a president, secretary and treasurer, whose powers and duties shall be severally the same as those conferred upon and required of the moderator, director and assessor of school districts in this State, except so far as the same are varied or modified by the provisions of this act, or other acts relating to said district. The following resident freeholders of the aforesaid district, viz.: Ira Arnot, John Blower, Archie Davis, John P. Smith, and John T. West, shall be and they are hereby constituted the trustees and officers of the Deckerville high school district, and said trustees so elected, designated and constituted shall continue to hold their offices until their successors are elected and qualified. Said board shall, within fifteen days after this act shall take effect, meet and elect from their own number a president, secretary and treasurer, whose term of office shall continue until the next annual meeting of said district.

Officers, of what to consist.

Powers and duties of president, etc.

Who to be first trustees.

SEC. 3. From and after the passage of this act, said board of trustees shall have all the powers and privileges conferred upon union, graded and high school district boards

Powers and duties of board.

To whom to make reports.	by general law, and all the powers and duties of school inspectors of townships in this State shall be vested in and required of said board of trustees, who shall be ex-officio the board of school inspectors of said district, and shall make their reports directly to the clerk of the county of Sanilac.
Who to keep school houses in repair.	<p>SEC. 4. Said board of trustees shall provide all necessary appendages for the school houses to keep the same in good condition and repair, and shall keep an accurate account of all expenses incurred by them, and all claims for such expenses shall be audited by said board of trustees and paid by the treasurer out of any money provided by the district for that purpose, on the order of the secretary countersigned by the president of the board. Said board shall present at each annual meeting of the district a statement of all receipts, expenditures and accounts audited and allowed by them, together with the amount of the expenses necessary to be incurred during the ensuing year for such purposes, and to pay the debts of the district and the services of any teacher or any district officer, and such money, when voted by any annual meeting, shall be assessed and collected in the same manner as other district taxes; but no tax for these purposes shall be voted at a special meeting unless a notice of the same shall be expressed in a notice of such meeting.</p>
Claims, how paid.	
When to present statement.	
Treasurer to give bond.	
Powers.	<p>SEC. 5. The treasurer of said district, within ten days after his election, and before he enters upon the duties of his office, shall give a bond to said district in such sum and with such sureties as shall be approved by the district board, conditioned for the faithful discharge of the duties of said office, and to account for and pay over all moneys that shall come into his hands by virtue of said office. And he shall have power, by suit at law under direction of the district board, in the name of the Deckerville high school district, to collect all moneys due said district from the township treasurer, or for the tuition of scholars who are not actual residents of said district; or that may be due said district from any source whatever. The bond of said treasurer shall be filed with the secretary of the board of trustees.</p>
Bond, where filed.	<p>SEC. 6. All of the land, school houses, outbuildings and sites, and all other property both real and personal now belonging to said school district number three, out of which the said Deckerville high school district is hereby organized, are hereby ordered to be sold at public sale to the highest bidder at the site of the said school house in said district number three, by the sheriff of Sanilac county, by giving twenty days' notice of said sale and posting said notice in three public places in said district number three, and the proceeds of said sale shall be divided equally between the Deckerville high school district and the fractional district number three remaining in said district number three, after the organization of said Deckerville high school district.</p>
Certain lands to be sold.	
Proceeds, how divided.	

Said Deckerville high school district shall be liable for one-half of the indebtedness and obligations that are or may have been heretofore incurred by said district number three, and shall receive one-half of all moneys, rents and other profits due to said district number three previous and up to the time this act shall take effect: Provided, That the land, school house, outbuildings and site, and all other property both real and personal belonging to said district shall be sold subject to delivery after the termination of the present term of school.

SEC. 7. The trustees of the Deckerville high school district are invested with power to locate sites, and to purchase land, construct suitable buildings and furnish same, necessary to maintain suitable schools for said district, and are hereby authorized and empowered to borrow money on the faith and credit of said district, and to issue bonds therefor to an amount not to exceed five thousand dollars, pledging the faith and credit of the said Deckerville high school district for the payment of the principal and interest of the same, which money shall be expended for the purchase of land for school house site, and construction of suitable buildings, and the purchase of fixtures and apparatus for the maintenance of a suitable school in said district. Further powers of trustees.

This act is ordered to take immediate effect.

Approved April 18, 1901.

[No. 399.]

AN ACT to legalize what is known as "the supervisor's plat of the village of Ithaca," so that the same may be used for all purposes in the selling, conveying and mortgaging of the real estate contained therein, as well as for assessment purposes, and in all proceedings at law or in equity concerning such lands.

The People of the State of Michigan enact:

SECTION 1. What is known as "the supervisor's plat of the village of Ithaca," made and executed on the thirty-first day of March, eighteen hundred ninety-four, by Chester W. Martin, as supervisor, and Joseph W. Harrod, as civil engineer, approved April seventh, eighteen hundred ninety-four, by the Auditor General of the State of Michigan as recorded on the twelfth day of April, eighteen hundred ninety-four, in the office of the register of deeds for the county of Gratiot, be and the same is hereby declared to be a legal plat of the several tracts and parcels of land therein contained, Certain plat legalized.

May be assessed, etc.

the same as though the same had been made by the several proprietors of such lands under the laws of this State applicable thereto, and all lands contained in such plat may be legally designated by the number of such lot and the division in which it is contained for all purposes of assessment, collection and return of taxes, and the sale and conveyance of such lands for delinquent taxes, also for all purposes of selling, conveying and mortgaging of such lands, and in all proceedings at law or in equity concerning the same.

This act is ordered to take immediate effect.

Approved April 18, 1901.

[No. 400.]

AN ACT to authorize the city of Hastings to borrow eight thousand dollars and to issue the bonds of the city therefor to pay outstanding city bonds.

The People of the State of Michigan enact:

May borrow money and issue bonds.

Amount and interest.

Denominations, etc., how fixed.

SECTION 1. That for the purpose of redeeming and retiring eight thousand dollars worth of water bonds of the city of Hastings, outstanding and issued in the year eighteen hundred eighty-six, the city of Hastings, be and is hereby authorized, acting through and by the common council of said city, to borrow eight thousand dollars on the credit of the city at a rate of interest not exceeding five per cent per annum and to issue the bonds of said city therefor.

SEC. 2. The amount of each bond, place of payment of principal and interest, time and condition of payment and time of maturity is left to the discretion of the common council of the said city.

This act is ordered to take immediate effect.

Approved April 22, 1901.

[No. 401.]

AN ACT to amend section seven of chapter five of an act entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June seventh, eighteen hundred eighty-three.

The People of the State of Michigan enact:

SECTION 1. That section seven of chapter five of an act entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," be and the same is hereby amended to read as follows: Section amended.

SEC. 7. It shall be the duty of the controller to countersign all bonds which the corporation or common council is authorized to issue, pledging the faith and credit of said city; to receive all accounts and demands against the corporation, examine them in detail, audit and allow them, or such parts thereof as to the correctness of which he has no doubt and the claimant is willing to accept in full discharge thereof, file and number them as vouchers in the order of their allowance, register them, with the amount allowed and date of allowance, in the same order, in a proper book provided for such purpose, and, on their being properly discharged, in writing, to draw and sign his warrant therefor, upon the treasurer, when the same is ordered to be paid by the common council. If he shall have any doubt concerning their correctness, he shall register them in a separate list, and return them to the common council with his objections. If the same be allowed by the common council, in pursuance of their authority under this act, on their return to the controller, with a certificate of the clerk endorsed thereon that they have been allowed by the common council, he shall then file and register them in the list of allowed claims, in the same manner as above provided for the registering of claims, audited and allowed by him and, on their being properly discharged, in writing, shall draw and sign his warrant therefor on the treasurer. It shall also be the duty of the controller to lay before the common council, once in each year, in the month of July, or oftener, if directed by the common council, a complete classified statement in tabular form of all moneys received and expended by the corporation during the preceding fiscal year, and of all leases of the property of the corporation, specifying the names of the lessees, the rates of rent, and the period when the leases will terminate. It shall also be the duty of the controller to examine the tax rolls and returns of the city officers, and take general supervision of the financial concerns of the corporation; to keep a complete set of books, exhibiting the financial condition of the corporation in its various departments and funds, its resources and Duties of city controller.

When in doubt of correctness of claim.

To make classified statement, what to show.

To examine tax rolls, etc.

To keep set of books.

To advise
council of
exhaustion of
funds, etc.

liabilities, with a proper classification thereof, and each fund or appropriation for any distinct object of expenditure, or class of expenditures. When any such fund or appropriation has been exhausted by warrants already drawn thereon or by appropriations, liabilities, debts and expenses actually made, incurred or contracted for, and to be paid out of such fund or appropriation, the controller shall advise the common council thereof at its next meeting.

This act is ordered to take immediate effect.

Approved April 22, 1901.

[No. 402.]

AN ACT to authorize the township of Paw Paw in the county of Van Buren and State of Michigan to borrow money and issue its bonds therefor, the proceeds of such bonds to be used in the erection and construction of a suitable public building for the use of the said township and for the promotion of any public improvements that may be deemed necessary by the township board in connection with the erection and construction of such public building.

The People of the State of Michigan enact:

May borrow
money and
issue bonds.

Amount.

Purpose.

Proviso as to
ratification of
electors.

To be submit-
ted to electors.

SECTION 1. That the township of Paw Paw in the county of Van Buren and State of Michigan shall be and is hereby authorized to borrow money on the faith and credit of said township and to issue its bonds therefor to an amount not to exceed the sum of fifteen thousand dollars, which shall be expended in the erection and construction of a suitable building in said township to be used for public purposes and for the promotion of such other public improvements in connection with the construction and erection of such public building as the township board of said township shall prescribe: Provided, That two-thirds of the electors voting at an election held in said township in accordance with the provisions of this act shall vote in favor of such loan in the manner specified in this act and not otherwise.

SEC. 2. Before any sum of money shall be raised or any bonds issued under the provisions of this act the amount proposed to be so raised, not exceeding the sum of fifteen thousand dollars, shall be determined by the township board of said township and the question of raising the amount so determined by said township board and of issuing the bonds of said township therefor, shall be submitted by the township board of said township to the electors thereof and the vote shall be taken as near as may be in accordance with the

provisions of chapter eighty-one of the compiled laws of the State of Michigan prescribing the manner of holding special elections. The said township board when requested by not less than twelve electors of said township so to do, shall order a special election for the purpose of determining the will of the electors of said township under the provisions of this act, and the proceedings at such special election shall be the same as at general elections held within said township except that those electors voting for the proposed loan shall have written or **printed** on their ballots the words "For the loan, Yes," and those electors voting against said loan shall have written or printed on their ballots the words "For the loan, No." If such proposed loan shall be authorized by two-thirds of the electors voting at such election said bonds may be issued in such sums not exceeding the amount before determined by said township board, and payable at such times and with such rate of interest not exceeding five per cent per annum, as said township board shall direct, and shall be signed by the supervisor of said township and countersigned by the township clerk thereof, and shall be negotiated by or under the direction of said township board and the moneys raised therefrom shall be appropriated by said township board for the purposes prescribed by this act. And the said township board shall have the power and it shall be their duty to raise by tax to be spread upon the assessment rolls of said township such sum or sums as shall be sufficient to pay the amount of said bonds and the interest thereon as the same shall become due and payable: Provided, That in no case shall any bond or bonds issued under the provisions of this act be sold or negotiated for less than the face value thereof.

When to order
special
election.

Form of
ballots.

Proceedings
when loan
authorized by
electors.

Interest.

How nego-
tiated.

Tax levy.

Proviso.

This act is ordered to take immediate effect.

Approved April 25, 1901.

To advise council of exhaustion of funds, etc.

liabilities, with a proper classification thereof, and each fund or appropriation for any distinct object of expenditure, or class of expenditures. When any such fund or appropriation has been exhausted by warrants already drawn thereon or by appropriations, liabilities, debts and expenses actually made, incurred or contracted for, and to be paid out of such fund or appropriation, the controller shall advise the common council thereof at its next meeting.

This act is ordered to take immediate effect.

Approved April 22, 1901.

[No. 402.]

AN ACT to authorize the township of Paw Paw in the county of Van Buren and State of Michigan to borrow money and issue its bonds therefor, the proceeds of such bonds to be used in the erection and construction of a suitable public building for the use of the said township and for the promotion of any public improvements that may be deemed necessary by the township board in connection with the erection and construction of such public building.

The People of the State of Michigan enact:

May borrow money and issue bonds.

Amount.

Purpose.

Proviso as to ratification of electors.

SECTION 1. That the township of Paw Paw in the county of Van Buren and State of Michigan shall be and is hereby authorized to borrow money on the faith and credit of said township and to issue its bonds therefor to an amount not to exceed the sum of fifteen thousand dollars, which shall be expended in the erection and construction of a suitable building in said township to be used for public purposes and for the promotion of such other public improvements in connection with the construction and erection of such public building as the township board of said township shall prescribe: Provided, That two-thirds of the electors voting at an election held in said township in accordance with the provisions of this act shall vote in favor of such loan in the manner specified in this act and not otherwise.

To be submitted to electors.

SEC. 2. Before any sum of money shall be raised or any bonds issued under the provisions of this act the amount proposed to be so raised, not exceeding the sum of fifteen thousand dollars, shall be determined by the township board of said township and the question of raising the amount so determined by said township board and of issuing the bonds of said township therefor, shall be submitted by the township board of said township to the electors thereof and the vote shall be taken as near as may be in accordance with the

provisions of chapter eighty-one of the compiled laws of the State of Michigan prescribing the manner of holding special elections. The said township board when requested by not less than twelve electors of said township so to do, shall order a special election for the purpose of determining the will of the electors of said township under the provisions of this act, and the proceedings at such special election shall be the same as at general elections held within said township except that those electors voting for the proposed loan shall have written or **printed** on their ballots the words "For the loan, Yes," and those electors voting against said loan shall have written or printed on their ballots the words "For the loan, No." If such proposed loan shall be authorized by two-thirds of the electors voting at such election said bonds may be issued in such sums not exceeding the amount before determined by said township board, and payable at such times and with such rate of interest not exceeding five per cent per annum, as said township board shall direct, and shall be signed by the supervisor of said township and countersigned by the township clerk thereof, and shall be negotiated by or under the direction of said township board and the moneys raised therefrom shall be appropriated by said township board for the purposes prescribed by this act. And the said township board shall have the power and it shall be their duty to raise by tax to be spread upon the assessment rolls of said township such sum or sums as shall be sufficient to pay the amount of said bonds and the interest thereon as the same shall become due and payable: Provided, That in no case shall any bond or bonds issued under the provisions of this act be sold or negotiated for less than the face value thereof.

When to order
special
election.

Form of
ballots.

Proceedings
when loan
authorized by
electors.

Interest.

How nego-
tiated.

Tax levy.

Proviso.

This act is ordered to take immediate effect.

Approved April 25, 1901.

[No. 403.]

AN ACT to amend act number two hundred twenty-two of the local acts of eighteen hundred ninety-three, approved February fifteenth, eighteen hundred ninety-three, entitled "An act to provide for the appointment of an assistant prosecuting attorney for St. Clair county, and to prescribe his duties and fix his compensation," by adding a new section thereto to stand as section five.

The People of the State of Michigan enact:

Act amended. SECTION 1. That act number two hundred twenty-two of the local acts of eighteen hundred ninety-three, approved February fifteenth, eighteen hundred ninety-three, entitled "An act to provide for the appointment of an assistant prosecuting attorney for St. Clair county, and to prescribe his duties and fix his compensation," be, and the same is hereby amended by adding a new section thereto, to stand as section five.

When to perform duties of office.

SEC. 5. The said assistant prosecuting attorney shall, in case of the absence, disability or sickness of the prosecuting attorney, discharge all functions and perform all duties of the office of prosecuting attorney.

This act is ordered to take immediate effect.

Approved April 25, 1901.

[No. 404.]

AN ACT to authorize and empower street railway companies in the county of Saginaw, using electricity as a motive power, to sell, dispose of and utilize electric current and surplus steam.

The People of the State of Michigan enact:

May use surplus power for manufacturing salt, etc.

SECTION 1. All corporations organized under the laws of this State for the purpose of owning and operating street railroads in the county of Saginaw, by electric motive power, are hereby authorized and empowered to sell, dispose of or utilize their surplus or waste steam in the manufacture of salt and also electricity for electric light or power purposes, and shall have full power to produce, generate, furnish and sell electricity and electric light to any person, municipal or private corporation, for lighting, heating, motor or motive purposes, and for any other purpose for which the same is or may become of practical use; and such corporation shall

have full power to lay, construct and maintain conductors for conducting electricity through the highways, streets, lands and squares of any city, township or village where such corporation carries on its business, with the consent of the municipal authorities thereof, under such reasonable regulations as they may prescribe, and such corporation may make all such contracts and by-laws as may be deemed necessary and proper to carry into effect the foregoing powers: *Pro- Proviso.* vided however, That none of the powers hereby granted shall at any time be exercised in such a manner as to interfere with the proper conduct of the street railway business of any such corporation.

This act is ordered to take immediate effect.
Approved April 25, 1901.

[No. 405.]

AN ACT to amend section thirty-three of title three, of act number three hundred seventy-four of the local acts of eighteen hundred ninety-seven, entitled "An act to revise the charter of the city of Grand Rapids."

The People of the State of Michigan enact:

SECTION 1. That section thirty-three of title three, of act number three hundred seventy-four of local acts of eighteen hundred ninety-seven, entitled "An act to revise the charter of the city of Grand Rapids," be and the same is hereby amended to read as follows: *Section amended.*

SEC. 33. For the purpose of defraying the expenses and non-interest bearing liabilities incurred by the city, and for highway and sewer purposes and paying the same, and for the purpose of creating and replenishing the funds provided for in this act, the common council may raise annually by taxation, levied upon the real estate and personal property in the city, not exempt from taxation by the general laws of the State, and upon all the personal property of residents of the city, not exempt from taxation by such general laws, such sum as it may deem necessary, not exceeding one per cent on the valuation of such real estate and personal property, according to the valuation to be taken from the assessment rolls for the year preceding the levying of such tax; and the sum or sums to be raised shall be apportioned between the several wards of said city, in the manner in this act provided: *Amount tax council may raise for certain purposes.* Provided, That such limitation shall not apply *Proviso.* to the raising of any sum of money necessary to be raised by taxation upon such real estate and personal property for

the purpose of paying the principal of any bonded indebtedness of the city arising from a loan for a term of a year or years, or the interest thereon, or both principal and interest, according to the terms of such indebtedness.

This act is ordered to take immediate effect.

Approved April 25, 1901.

[No. 406.]

AN ACT to vacate the township of St. Helens in the county of Roscommon, Michigan, and to incorporate the territory comprised therein in the townships of Higgins and Richfield in said county.

The People of the State of Michigan enact:

Territory
vacated.

SECTION 1. That the township of St. Helens, composed of towns twenty-two north, range one west, twenty-three north, range one west, and twenty-three north, range two west, be and the same is hereby vacated, and the territory comprised in towns twenty-two north, range one west, and twenty-three north, range one west, is hereby attached to the township of Richfield, and the territory comprised in town twenty-three north, range two west, is hereby attached to the township of Higgins, in said county.

To what
attached.

Property, etc.,
how divided.

SEC. 2. All rights of action, demands, credits, choses in action and property of whatever nature and kind now belonging or existing in favor of the said township of St. Helens shall hereafter remain the demands, credits and rights of action and property of the said townships of Higgins and Richfield proportionately, according to the assessed valuation for the year nineteen hundred of the territory hereby attached to them respectively.

Delinquent
taxes, etc.,
to whom paid.

SEC. 3. All uncollected and delinquent taxes hereafter collected on property in the township hereby vacated, shall be credited and paid to the township to which the territory in which said taxes are collected is hereby attached.

Debts, etc.,
how divided.

SEC. 4. All debts, demands and rights of action now existing against the township of St. Helens herein vacated, shall be borne and liquidated by the townships of Higgins and Richfield pro rata according to the assessed valuation for the year nineteen hundred of the territory attached to said town.

Who to deter-
mine and
divide credits,
etc.

SEC. 5. The township boards of the townships of Higgins and Richfield shall meet on the first Monday in June, A. D. nineteen hundred one, at Roscommon village, and proceed to determine and divide the credits and other assets of the township of St. Helens as provided in section two of this act,

and also determine the amount of indebtedness, if any, of the said township of St. Helens, and provide for the payment thereof as provided by section four of this act. Said meeting shall be called by the supervisor of the said township of Higgins by giving at least five days' notice of such meeting to the township boards of said townships.

SEC. 6. It shall be the duty of the township officers of the township of St. Helens, hereby vacated, to turn over to the county clerk all the files, records and papers in their possession by virtue of their office, as if said county clerk were their successor in office. Officers to deliver records, etc., to whom.

This act is ordered to take immediate effect.

Became a law without the signature of the Governor May 1, 1901.

[No. 407.]

AN ACT to authorize the board of supervisors of the county of Bay to make a levy for the purpose of paying a mortgage against the Bay County Agricultural Society grounds.

The People of the State of Michigan enact:

SECTION 1. That the board of supervisors of the county of Bay, be and the same is hereby empowered, at its next annual session, or at any annual session thereafter, to levy, by a two-thirds vote of the members elect, a tax upon the taxable property of said county not to exceed the sum of five thousand five hundred dollars, for the purpose of paying a certain mortgage now due against the Bay County Agricultural Society grounds. Powers conferred on board.

Approved May 1, 1901.

[No. 408.]

AN ACT to provide for the construction of a bridge across the Kawkawlin river in Bangor township, Bay county, Michigan, and authorizing the township board to issue bonds to defray the cost thereof.

The People of the State of Michigan enact:

Who to
issue bonds.

SECTION 1. That it shall be the duty of the township board of Bangor township, Bay county, Michigan, to issue the bonds of said township in not to exceed the sum of three thousand dollars at a rate of interest not to exceed six per cent per annum; said bonds and interest to be payable in not to exceed ten years from the date thereof.

How sold.

SEC. 2. The township board of Bangor shall sell and dispose of said bonds for the highest price obtainable, and not to be sold for less than their face value. The proceeds from the sale of said bonds shall be used only for the construction of a steel or iron bridge across the Kawkawlin river at a point on the east subquarter line running north and south in section five in township fourteen, north of range five east, Bay county, Michigan.

Who to in-
corporate in
township tax.

SEC. 3. It shall be the duty of the supervisor of said township of Bangor to assess upon all the taxable property of said township annually a sufficient amount to pay said bonds, and the interest thereon, as the same shall become due: Provided, That no bonds of said township shall be issued or indebtedness contracted, until a majority of the electors of said township voting on said proposition shall have voted in favor of issuing said bonds, at any general or special election called for that purpose.

Proviso.

This act is ordered to take immediate effect.

Approved May 1, 1901.

[No. 409.]

AN ACT to amend section six of an act approved March twenty-nine, nineteen hundred one, entitled "An act to repeal act number two hundred ninety-one of the local acts of eighteen hundred ninety-one, entitled 'An act to incorporate the public schools of the township of Ossineke, Alpena county,' approved April twenty-one, eighteen hundred ninety-one, as amended by act number four hundred thirteen of the local acts of eighteen hundred ninety-nine, approved May twenty-five, eighteen hundred ninety-nine; to provide for the disposition of property and the payment of the indebtedness of the corporation hereby dissolved, and to organize and form three separate school districts from the territory embraced within the said township of Ossineke, in said county of Alpena," and to add two new sections thereto to be known as sections eight and nine.

The People of the State of Michigan enact:

SECTION 1. That section six of an act approved March twenty-nine, nineteen hundred one, entitled "An act to repeal act number two hundred ninety-one of the local acts of eighteen hundred ninety-one, entitled 'An act to incorporate the public schools of the township of Ossineke, Alpena county,' approved April twenty-one, eighteen hundred ninety-one, as amended by act number four hundred thirteen of the local acts of eighteen hundred ninety-nine, approved May twenty-five, eighteen hundred ninety-nine; to provide for the disposition of the property and the payment of the indebtedness of the corporation hereby dissolved, and to organize and form three separate school districts from the territory embraced within the said township of Ossineke, in the said county of Alpena," be and the same is hereby amended, and two new sections added to said act to stand as sections eight and nine, said amended and added sections to read as follows:

SEC. 6. The school officers designated by the general laws of this State, relative to the primary school system thereof, and deemed necessary thereby to organize, form and maintain school districts thereunder, shall be the same under this act; and for the purpose of carrying this act into effect, such officers, namely: Two school inspectors, one of whom shall hold office until Monday, the seventh day of April, nineteen hundred and two, and the other of whom shall hold office until the first Monday of April, nineteen hundred and three, and until their successors are elected and qualified, shall be elected at a special meeting and election which shall be held in the said township of Ossineke, on Monday, the twentieth day of May, nineteen hundred and one, and at least eight days before the holding thereof, the township clerk shall give notice, how given.

a printed notice, signed by himself, of the time and place of holding such special meeting and election. Such special meeting and election shall be conducted as near as may be, according to such general laws, relative to annual township meetings and elections, and the board of inspectors for such special election, shall be the same as at general elections. And such school inspectors when so elected and qualified, together with the township clerk, shall constitute the township board of school inspectors for the said township of Ossineke.

Election, etc.,
of moderator,
etc.
Term of office.

SEC. 8. And for the like purpose, the remainder of such school officers, namely: A moderator who shall hold office until the first Monday in September, nineteen hundred and four; a director who shall hold office until the first Monday in September, nineteen hundred and three, and an assessor who shall hold office until the first Monday in September, nineteen hundred and two, and until their successors are elected and qualified, shall be elected in each of such school districts, at a meeting of the qualified voters thereof, to be held on Monday, the thirteenth day of May, nineteen hundred and one, therein and for that purpose. At least five days before the holding of such meeting, the supervisor of said township of Ossineke, shall give notice of the time and place of holding the same, by posting printed notices thereof in three of the most public places in each of said school districts. Such officers shall qualify within five days after being so elected as aforesaid.

Notice.

District
board, who
to constitute.

SEC. 9. The moderator, director and assessor so elected and qualified as aforesaid in each of said school districts, shall constitute the district board thereof; and as soon as may be after their election and qualification, such officers shall meet in their respective districts, for the purpose of organizing such district boards, in accordance with the general school laws of this State, and such district boards when so organized, shall immediately proceed to estimate and vote as required by section four thousand six hundred seventy-four of the compiled laws of eighteen hundred ninety-seven, of this State, the amount necessary for school purposes until the annual estimates of said boards are made, and when such amount shall have been estimated and voted, each of such amounts shall be reported for assessment and collection, the same as other district taxes; and in case the amount so estimated, voted and reported, cannot be assessed and collected, then each of said district boards is hereby authorized to borrow such sum of money as may be necessary for school purposes for the time above mentioned, not to exceed the amount so estimated, voted and reported, and the amount so borrowed shall be added to the next annual estimate made and voted by the district board of each of said school districts, and therewith reported for assessment and collection in the manner, and as required by sections four thousand six hundred

Estimate of
money for
school pur-
poses.

When may
borrow money.

seventy-four and four thousand six hundred seventy-five of the compiled laws of eighteen hundred ninety-seven.

This act is ordered to take immediate effect.

Approved May 1, 1901.

[No. 410.]

AN ACT to amend section five of act number two hundred eighty-five, local acts of eighteen hundred ninety-three, entitled "An act to provide for the compensation and to prescribe the duties of certain officers of the county of Saginaw," approved March tenth, eighteen hundred ninety-three.

The People of the State of Michigan enact:

SECTION 1. That section five of local act number two hundred eighty-five of the local acts of the State of Michigan of the year eighteen hundred ninety-three, entitled "An act to provide for the compensation and to prescribe the duties of certain officers of the county of Saginaw," approved March tenth, eighteen hundred ninety-three, be and the same is hereby amended to read as follows: Section amended.

SEC. 5. No person hereafter elected to the office of county clerk, register of deeds, or county treasurer in the county of Saginaw shall enter upon the discharge of his duties until he has executed a bond pursuant to the foregoing section. The board of supervisors of Saginaw county shall prescribe the number of deputies and clerks to be employed in the said offices respectively, and to fix the compensation to be paid to them except as hereinafter provided. The number of deputies and clerks in each of said offices shall be sufficient for the proper transaction of the business of such offices; and the compensation shall be sufficient to command the services of competent persons. The principal deputy of the county treasurer shall receive a salary of one thousand three hundred dollars per annum to commence January first, nineteen hundred one, and the principal deputy of the register of deeds shall receive a salary of one thousand three hundred dollars per annum, to commence January first, nineteen hundred one. The probate register of said county shall receive an annual salary of one thousand dollars, and the probate clerk an annual salary of six hundred dollars, to commence January first, nineteen hundred one, and each deputy of the county clerk shall receive a salary of one thousand dollars per annum, to commence January first, nineteen hundred one. Such Certain officers to give bonds.

Who to fix number of deputies, etc.

Salaries of different officers and deputies.

deputies and clerks shall be appointed by the said county treasurer, county clerk and register of deeds respectively.

This act is ordered to take immediate effect.

Approved May 2, 1901.

[No. 411.]

AN ACT to provide for the registration of electors and to preserve the purity of elections, and guard against the abuse of the election franchise by a registration of electors of the county of Saginaw, excepting the city of Saginaw, and to regulate the sessions of the several boards of registration in said county.

The People of the State of Michigan enact:

When
registration
to be held.

Who to con-
stitute board.

To provide
registers.

When board
to be in ses-
sion.

SECTION 1. That there shall be in the year nineteen hundred two a registration of the qualified electors of Saginaw county, excepting in the city of Saginaw, and the supervisor, treasurer and the clerk of every township, and in case of the absence of any of them or his inability to serve, the justice of the peace not holding the office of supervisor or town clerk, whose term of office will first expire shall constitute a board of registration for such township, and their duty shall be as follows, to-wit: They shall respectively provide at the expense of the township, suitable bound books or registers, one for each township, so made and arranged as to contain an alphabetical list of the respective names christian or baptismal and surnames in full, of all persons declared by the constitution of the State to be electors and entitled to vote, residing in such township, and the date of the registration, and, if the elector resides in an incorporated village, also his residence by the number of the dwelling and the name of the street, if any, and if none, a description of the locality of the same.

SEC. 2. On the Saturday next preceding the annual township meeting in the year nineteen hundred two, and preceding any special or general election thereafter the board of registration of each township shall be in session at the office of the township clerk from nine o'clock in the forenoon until eight o'clock in the afternoon for the purpose of the registration of the qualified electors of said township, during which session it shall be the right of each and every person, who at the next approaching election or township meeting may be a qualified elector and entitled to vote thereat, and whose name is not already registered, to have his name duly entered on such register, which shall be done in the presence

of a majority of said board in the manner above set forth, together with the date of said entry. The board shall have the power and it shall be their duty and the duty of the clerk, and of the supervisor, individually, to question every person presenting himself for registration, touching his residence, and his other qualifications as an elector of the township and it shall be the duty of the applicant to make truthful answers to all such questions, and the board, supervisor, clerk or treasurer, as the case may be, may for the more perfect examination of the applicant swear and employ an interpreter truly and impartially to interpret such questions and answers, and if any such applicant shall in his answers make any material statement which is false, he shall be deemed guilty of the crime of perjury and upon conviction thereof pay a fine of not more than five hundred dollars nor less than twenty-five dollars, or be imprisoned in the county jail not more than ninety days nor less than thirty days, or both such fine and imprisonment in the discretion of the court.

Powers and duties of board.

Penalty for making false statements.

SEC. 3. The name of no person who is not personally present before said board, and an actual resident of the township at the date of the registration, and entitled, under the constitution of remaining such resident to vote at the then next election or township meeting, shall be entered in the register, neither the board, nor any member thereof, shall write or enter therein the name of any person, nor suffer him to write or enter his name therein, whom they know or have good reason to believe not to be such resident and so qualified. Nor shall any person knowing or having good reason to believe himself not to be such resident and so qualified, write his name therein. Any person so offending shall be deemed guilty of a misdemeanor and on conviction thereof be punished by the same fine and imprisonment as provided in section two of this act.

Who entitled to registration.

Penalty.

SEC. 4. In all townships showing according to the last preceding State, or United States census a population of one thousand inhabitants or less, said board of registration may adjourn at five o'clock in the afternoon in their discretion: Provided, That, the township clerk shall post notices in three of the most public places in said township which notice shall set forth the time and place of the meeting of said board and the time of the adjournment thereof.

When board may adjourn.

Proviso.

SEC. 5. In all other proceedings said boards of registration in Saginaw county shall be governed by the general law, relative to boards of registration in this State.

When to be governed by general law.

SEC. 6. All acts or parts of acts in any way contravening or inconsistent with the provisions of this act are hereby repealed.

Acts repealed.

Approved May 2, 1901.

[No. 412.]

AN ACT to create a voting precinct in the township of Ingallston in Menominee county.

The People of the State of Michigan enact:

Territory to
constitute.

SECTION 1. That the following described territory now embraced in the township of Ingallston, in the county of Menominee, to-wit, sections five, six and seven in township thirty-two north, of range twenty-six west, and sections one, two, three, nine, ten, eleven, twelve, fourteen, fifteen, sixteen, seventeen, nineteen, twenty, twenty-one, twenty-two, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two and thirty-three, of township thirty-three north, of range twenty-six west, shall constitute and be denominated as election precinct number two of said township.

Notice of
creation to
be given.

SEC. 2. Ten days' notice of the creation of said election precinct number two shall be given by the township board of said township by posting written or printed notices of the same in three public places within said described precinct, previous to the holding of the first election therein.

Polling place.

SEC. 3. All qualified electors residing in election precinct number two as herein defined, shall cast their ballots at such a place within said precinct as the township board of said township shall determine as the polling place of precinct number two.

New
registration.

SEC. 4. There shall be a new registration of all qualified electors residing within the territory of said precinct, previous to the first election held therein. The township board of said township shall provide at the expense of said township a suitable register for such registration, in which shall be registered the names of the qualified electors residing in precinct number two, in the manner provided by law.

Board of
registration.

SEC. 5. The township board of said township shall act as a board of registration in said precinct number two.

This act is ordered to take immediate effect.

Approved May 2, 1901.

[No. 413.]

AN ACT to amend sections two hundred seventy-four, two hundred eighty, and two hundred ninety-two of act number three hundred and twenty-one of the local acts of eighteen hundred ninety-seven, entitled "An act to amend and revise the charter of the city of Adrian," approved March tenth, eighteen hundred and ninety-seven.

The People of the State of Michigan enact:

SECTION 1. That sections two hundred seventy-four, two hundred eighty and two hundred ninety-two of act number three hundred twenty-one of the local acts of eighteen hundred ninety-seven, entitled "An act to amend and revise the charter of the city of Adrian," approved March tenth, eighteen hundred ninety-seven, be and the same are hereby amended so as to read as follows:

Sec. 274. After the passage of the annual appropriation bill, no further sums shall be used, raised or appropriated; nor shall any further liability be incurred for any purpose, to be paid from any general fund or street district fund, during the fiscal year for which the appropriation was made, unless the proposition to make the appropriation shall be sanctioned by a majority of the electors voting upon the proposition at the next annual city election, or at a special election called for that purpose. But this section shall not prohibit the council from making any necessary repairs or expenditures at a cost not exceeding ten thousand dollars, the necessity for which is caused by casualty or accident, happening after making the annual appropriation of the year, and from loaning money therefor.

Sec. 280. Should any greater amount be required in any year for the purpose of erecting public buildings, or for the purchase of grounds therefor, or for other public improvements or purposes to be paid for from the general funds of the city, than can be raised by the council under the foregoing provisions of this act, such amount may be raised by tax or loan, or partly by tax and partly by loan, if authorized by a majority vote of the electors voting upon the question at an annual city election, or at a special election called for that purpose. The amount that may be voted or raised in any year under the provisions of this section, shall not exceed two per cent of the assessed valuation of the property in the city shown by the last preceding tax rolls made therein.

Sec. 292. For the purpose of assessing all property equally in the whole city the supervisors shall meet in the city hall on the Tuesday after the second Monday in April of each year and shall organize by electing one of the number chairman and one secretary, and thereafter shall meet in the city hall on each Saturday during the time provided for making

Who may
increase or
decrease
valuation.

Proviso as to
filing of
assessment
rolls.

Notice of.

their assessments, and shall remain in session from nine a. m. to four p. m. Said supervisors shall compare the valuations fixed by them and shall have power to increase or decrease any valuation by a majority vote, or to place any property on said roll which they may deem proper, and said values as fixed by them shall be the value as assessed of said property, subject to the action of the board of review thereon: Provided, This section shall not in any way qualify or limit the power of the board of review. Said supervisors shall complete their said assessment rolls on or before the fourth Monday in May of each year, and on or before the said last mentioned day shall each file the assessment roll for his ward in the office of the city clerk for public examination, and it shall be the duty of the city clerk within five days preceding the last mentioned date to cause a notice to be published in each daily newspaper published and circulating in said city, stating that the assessment rolls for the several wards of said city will be on file in his office subject to public examination from the fourth Monday in May to the first Monday in June, which said notice shall also be continued in the next two regular publications of each of said papers published thereafter. Said rolls shall remain in the office of the said clerk subject to examination by the public until the meeting of the board of review in this act provided, when they shall be delivered to said board by the city clerk.

This act is ordered to take immediate effect.

Approved May 2, 1901.

[No. 414.]

AN ACT declaring St. Stephen's Evangelical Lutheran church of the city of Adrian, Michigan, incorporated April fifth, nineteen hundred one, the corporate successor of a similar corporation of the same name incorporated about thirty-six years ago, and validating all acts of the officers of the old corporation, and transferring its property to the said new corporation.

The People of the State of Michigan enact:

To be suc-
cessor to
former
society.

SECTION 1. St. Stephen's Evangelical Lutheran church of Adrian, Michigan, incorporated April fifth, nineteen hundred one, by articles duly filed in the Secretary of State's office, is hereby declared to be the corporate successor of a society and incorporation of the same or similar name which was incorporated about thirty-six years ago in the city of Adrian, Michigan, and in whose name certain real estate in said city now stands.

SEC. 2. All real estate and personal property of the former corporation is hereby transferred and vested in the corporate name of St. Stephen's Evangelical Lutheran church, a corporation whose articles were filed April fifth, nineteen hundred one, in the office of the Secretary of State. Real estate, etc., transferred.

SEC. 3. The acts and doings of the board of trustees of said former corporation from the date of the expiration of the articles of association to April fifth, nineteen hundred one, are hereby declared valid and binding on the new corporation the same as if the old corporation had been reincorporated, and the officers and members of said old corporation shall be deemed to be the officers of the new corporation until their successors shall have been appointed according to law. Acts, etc., of former board made valid.
Officers of old corporation to be officers of new.

This act is ordered to take immediate effect.

Approved May 4, 1901.

[No. 415.]

AN ACT to amend sections one, two, three, four, five, six, seven, eight, nine and ten of an act, entitled "An act to establish a department of public works in and for the city of Detroit and to repeal all acts or parts of acts in conflict therewith," approved February fifteenth, nineteen hundred and one, and to add a new section thereto.

The People of the State of Michigan enact:

SECTION 1. That an act entitled "An act to establish a department of public works in and for the city of Detroit, and to repeal all acts or parts of acts in conflict therewith," approved February fifteenth, nineteen hundred and one, be amended by amending sections one, two, three, four, five, six, seven, eight, nine and ten and by adding a new section thereto, as follows: Sections amended.

SECTION 1. There shall be a department in the municipal government of the city of Detroit, to be known as "the department of public works" of the city of Detroit, and the responsible head of said department shall be an officer to be known as "the commissioner of public works." Department established.
Commissioner to be at head.

SEC. 2. That within five days after this act shall take effect, it shall be the duty of the common council of the city of Detroit, and it is hereby authorized and empowered to appoint a commissioner of public works, having the qualifications of an elector and freeholder of said city, and who shall hold his office from the time of his appointment and qualification under this act as amended, until the first day of July, nineteen hundred and five, and until his successor shall be elected Who to appoint.
Term of office.

When mayor to appoint.	and qualified. At the expiration of said term and each four years thereafter, the mayor of said city shall appoint a suitable person of like qualifications, as commissioner of public works, for the term of four years and until his successor shall be appointed and qualified. The mayor shall appoint a suitable person of like qualifications to fill any vacancy in said office for the remainder of any unexpired term. Before entering upon the duties of his office, the commissioner of public works shall file in the office of the city clerk, his bond in the penal sum of fifty thousand dollars, with two or more responsible sureties, or with a responsible security company as surety, and approved by the city controller, conditioned for the faithful performance of the duties of his office. During sickness, absence or some temporary inability of the commissioner to perform the duties of his office, the secretary of said department, shall perform the duties and have the powers of said commissioner: Provided, That he shall not have authority to change any general rules or regulations, or to make appointments.
Vacancy, how filled.	
To file bond.	
When secretary to perform duties.	
Proviso.	
How may be removed.	SEC. 3. The common council may, by a vote of two-thirds of all the members elect, remove from office any commissioner of public works for corrupt or wilful malfeasance, or for wilful neglect of the duties of his office, and in any such case the reason of such removal shall be entered upon the records of the common council with the names and votes of the members voting on the question. Any person so removed shall not be eligible to reappointment to said office: Provided however, That no commissioner of public works shall be removed from office by the common council, unless first furnished with a copy of the charges in writing and allowed to be heard in his defense, with the aid of counsel; and for the purpose of determining the truth of any such charges, the common council shall have the power to issue subpoenas, to compel the attendance of witnesses, and the production of papers when necessary, and shall proceed within thirty days after service of a copy of the charges to hear and determine upon the merits of the case. If such officer shall neglect to appear and answer such charges, his failure to do so, without a reasonable excuse therefor, may be deemed good cause for his removal from office.
Not eligible to reappointment. Proviso.	
Who to deliver office records, etc., to commissioner.	SEC. 4. When a commissioner of public works shall have been appointed and qualified as herein provided, it shall be the duty of the superintendent of public works of the city of Detroit to surrender to him possession of the offices occupied by said superintendent of public works, together with all books, records, papers, property and money belonging or appertaining to said department of public works, and from thenceforth the custody and possession of the same shall be vested in the commissioner of public works, acting for and

on behalf of the city of Detroit. In case the superintendent of public works shall refuse or neglect to surrender such possession on demand, it shall be the duty of the commissioner of public works to apply to any court of competent jurisdiction for a writ of mandamus to compel the superintendent of public works to surrender such possession to him.

Proceedings
in case of
failure to do
so.

SEC. 5. From and after the appointment and qualification of a commissioner of public works, under this act, as hereby amended, said commissioner shall have power and authority to establish a system of grades for all streets and alleys and when established, the same shall not be changed without a two-thirds vote of the aldermen elect. He shall likewise have authority to lay out and establish a system of sewers for the entire city to be designated on the general plan of streets and alleys. He shall supervise the grading, paving, re-paving and cleaning of streets and alleys and public grounds, the construction, repairing and alterations of public wharves, docks, bridges, culverts, receiving basins, drains, sewers, walks, cross-walks and all public buildings, the supervision of which shall not be otherwise provided by law, and all moneys for such purposes shall be expended under his supervision, and when done by contract, shall be done under contract and specifications prepared by him, and approved by the common council. He shall advertise for proposals when directed by the common council, or required by the charter of said city for work to be done, or for material to be furnished by contract, and shall let such contract to the lowest responsible bidder: Provided, He may reject all proposals received. He shall have all the powers, duties and functions heretofore vested in, and exercised by the former board of public works, or the present superintendent of public works, except as herein altered or modified; which said powers, duties and functions shall be vested in and be exercised by the commissioner of public works, and he shall take the place of said board, and of the superintendent of public works in the municipal government of the city of Detroit.

Powers and
duties of
commissioner.

To advertise
for proposals.

Proviso.

SEC. 6. As soon as practicable, after the appointment and qualification of a commissioner of public works, under this act, it shall be his duty to appoint a secretary, of the department of public works, and a city engineer, and such other subordinate officers and employes of the department as the common council of the city heretofore, or may hereafter create and establish by ordinance, resolution or other action of said council. Said secretary and city engineer, with all other officers, clerks, employes of the department, including those now holding office under the board of public works, shall hold office, and their employments be subject to the pleasure of the commissioner of public works, and vacancies may be filled and new appointments may be made by him whenever, in his judgment, the public service may require.

To make
certain ap-
pointments.

Who not
eligible to
elective
offices.

When con-
sidered to
have resigned.

Contracts, how
and by whom
made.

Debts, etc.,
not to exceed
fund.

Bills, etc., to
be transmitted
to whom.

Proviso.

Pay rolls, how
approved.

Salary of
commissioner.
Secretary.

City engineer.

Other officers,
etc.

SEC. 7. The commissioner of public works, the secretary and city engineer, and all officers, clerks and employes of the department shall be ineligible, while they hold their respective offices or employments, to any office elected by the people, and if nominated for any such office and they do not publicly decline the nomination within ten days succeeding the same, they shall be deemed to have resigned and to have vacated their office, and they shall not receive any salary or compensation from the city. The acceptance of any other appointive office by any incumbent shall vacate said office of commissioner.

SEC. 8. The commissioner of public works shall have no power to enter into any contract, for or in behalf of the city of Detroit, without the consent or approval of the common council. No debt or liability of any kind shall be created by or on account of said department during any one fiscal year, in excess of the moneys then in the proper fund thereof, or which may have been authorized to be raised by the common council for the said year. All bills, accounts, and claims of every character against the said department shall after having been duly audited by said commissioner and certified by him and the secretary, be transmitted to the city controller, who shall submit the same to the common council with his approval. When said bills, accounts and claims shall have been allowed by the common council, the controller shall draw his warrant or warrants on the city treasurer in payment therefor: Provided however, That no bill, account or claim against said department shall be audited by the commissioner, unless it shall be accompanied by an affidavit of the person rendering it, that he verily believes the services or property therein charged have been actually performed, or delivered to the city, and that the sums charged therefor, are reasonable and just, and that to the best of his knowledge and belief no offset exists or payment has been made on account thereof, except such as are included or referred to in such bill, account or claim. All pay rolls shall be certified by said commissioner and secretary, and shall be approved by the common council and be delivered to the city controller, who shall draw his warrants for the payment thereof and deliver the same to the city treasurer, together with said pay roll, and said city treasurer shall pay the amounts mentioned in said pay roll, to the persons entitled thereto.

SEC. 9. The commissioner of public works shall receive from the city an annual salary of five thousand dollars, the secretary of the department shall receive an annual salary of two thousand five hundred dollars, and the city engineer shall receive an annual salary of three thousand dollars, each payable in semi-monthly installments; and the other officers, clerks and employes of the department shall receive such salary or compensation as the common council has prescribed, or may hereafter prescribe; all to be paid on pay rolls as above provided.

SEC. 10. The office of the superintendent of public works of the city of Detroit is abolished from and after the appointment and qualification of a commissioner of public works provided by this act. Office of superintendent abolished.

SEC. 11. The commissioner of public works shall annually before the first day of February, file with the city controller an estimate of the amount of money required to be raised by taxation for the next fiscal year, for the general sewer and road funds, district road fund, public works general fund, and for such other funds and purposes as may be, in his judgment required for his department, or as may be ordered or established by the common council. Said estimate shall, so far as practicable, be made in detail and so much of the total estimate for each of said funds or purposes, as shall be approved by the common council, shall be raised by general taxation: Provided, That the kind of material with which the streets shall be repaved shall be determined by said commissioner. The commissioner of public works shall be a member of the board of estimates of said city. Commissioner to file estimate of money required.

This act is ordered to take immediate effect.

Approved May 4, 1901. To be made in detail.

Proviso.

[No. 416.]

AN ACT to amend sections one, two, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, thirty and thirty-three of an act entitled "An act to establish a police government for the city of Detroit," approved April seventeenth, eighteen hundred and seventy-one.

The People of the State of Michigan enact:

SECTION 1. That sections one, two, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, thirty and thirty-three of an act entitled "An act to establish a police government for the city of Detroit," approved April seventeenth, eighteen hundred and seventy-one, be and the same are hereby amended so as to read as follows: Sections amended.

SECTION 1. That all powers and duties connected with and incident to the police government and discipline of the city of Detroit shall be vested in and exercised by one commissioner of police, a superintendent and other officers, and patrolmen, as hereinafter provided. Police government to be vested in certain officers.

Council to
appoint com-
missioner.

Existing board
to surrender
property,
etc.

When mayor
to appoint.

Vacancy, how
filled.

Commissioner
to file bond.

Proviso.

Who to
appoint
superin-
tendent,
etc.

Commissioner
may suspend
members of
police force.

SEC. 2. That within five days after this act shall take effect, it shall be the duty of the common council of the city of Detroit, and it is hereby authorized and empowered to appoint a commissioner of police, having the qualifications of an elector and freeholder of said city, and who shall hold his office until the first day of July, nineteen hundred and five, or until his successor shall be elected and qualified. The existing board of metropolitan police shall, upon the appointment and qualification of the commissioner hereby authorized to be appointed, surrender to him all property, books, papers, documents and effects in their custody or under their control, and the said commissioner shall succeed to all the rights, privileges and prerogatives lawfully pertaining to the existing board of metropolitan police, not in conflict with the provisions of this act. At the expiration of said term and each four years thereafter, the mayor of said city shall appoint a suitable person of like qualifications as commissioner of police for the term of four years and until his successor shall be appointed and qualified. The mayor shall appoint a suitable person of like qualifications to fill any vacancy in said office for the remainder of any unexpired term. Before entering upon the duties of his office, the commissioner of police shall file in the office of the city clerk, his bond in the penal sum of fifty thousand dollars, with two or more responsible sureties, or with a responsible surety company as surety, and approved by the city controller, conditioned for the faithful performance of the duties of his office. During sickness, absence or other temporary inability of the commissioner to perform the duties of his office, the superintendent shall perform the duties and have the powers of said commissioner: Provided, That he shall not have authority to change any general rule or regulation, or to make appointments.

SEC. 5. Said commissioner of police shall have power to appoint a superintendent of the police force, a deputy superintendent, a captain of police for each thirty patrolmen called into service, one or more officers to be called and act as detectives, one captain and one sergeant of detectives, one sergeant of police for each fifty patrolmen, an attorney, surgeon, one or more roundsmen, doorman, janitors, and such patrolmen as may be deemed necessary or for whom compensation may be provided by the taxes authorized to be levied in the annual tax levy of said city for the support of said department. He shall also appoint as many patrolmen, with or without compensation, in time of special emergency or apprehended danger from riot or other cause, as he shall deem expedient. Said commissioner shall also have power, for cause assigned and on a public hearing and on due notice, according to rules which shall be promulgated to remove and suspend from office or for a definite time to deprive of

pay, any member of such police force: Provided, That the superintendent, deputy superintendent, either of the detectives, attorney, surgeon, secretary and property clerk may be dismissed at any time at pleasure. Said commissioner shall also make rules and regulations for the discipline and government of said force, and shall cause the same to be published, and shall also make and promulgate general and special orders to said force. Proviso.

SEC. 6. Said commissioner shall appoint some suitable person to act as secretary and property clerk, who shall give bonds to the city of Detroit in an amount and with sureties to be approved by said commissioner, conditioned for the safe keeping by him and his rendition upon the order of said commissioner of all moneys and other property which shall come into his hands by virtue of his office. Said commissioner shall fix the compensation of each of the officers and other employees authorized to be appointed by him. May appoint secretary and property clerk.
To fix compensation of officers appointed.

SEC. 7. Said commissioner shall assume and exercise the entire control of the police force of said city, and shall possess full power and authority over the organization, government, appointments and discipline within said city. He shall have the custody and control of all public property, books, records and equipments belonging to the police department, and shall have power to erect and maintain such lines of telegraph in such places within said city as for the purposes of police he shall deem necessary: Provided, That the cost thereof shall be mentioned in the annual estimate of such department and shall be approved by the common council and the board of estimates. To have control of force.
To have custody of public property, etc.
Proviso.

SEC. 8. It shall be the duty of the commissioner of police and of the force hereby constituted, at all times of the day and night, within the boundaries of said city, to preserve the public peace and prevent crime, arrest offenders and protect rights of persons and property, guard the public health, preserve order and enforce all the laws of the State and the ordinances of said city. The commissioner may designate a member of the force to perform the duties of sealer of weights and measures, and also if necessary a member of the force as his assistant, and the persons so designated shall have exclusive power to perform said duties in said city, and shall, during the time they are directed to perform said duties, try, prove and seal all scales, beams, weights and measures used in said city for the purpose of buying and selling, without giving any notice: Provided, The persons so designated shall not receive nor charge compensation or fee other than the regular salary paid from the police fund for performing said duties. The said commissioner, through a proper officer to be designated by him, shall collect all license moneys under the laws of the State, the charter and ordinances of said city, and shall account for and pay the same to the officer authorized by law to receive them; the person designated shall have Duties of force.
Offices to be held by members of force.
Proviso.

Harbor master.	exclusive power to collect said moneys in said city. Said commissioner shall designate a member of the force to perform the duties of harbor master, and the person so designated shall have the exclusive power to perform said duties in said city under the ordinances which may, from time to time, be
Scavengers.	prescribed by the common council. Said commissioner shall also appoint from time to time, as he may deem fit, one or more city scavengers, who shall have the exclusive power to perform the duties of such employment in said city, and shall be liable to such penalties as are or may be prescribed by the ordinances, and who shall be entitled to receive such compensation and fees as the common council by ordinance shall
Commissioner to audit certain bills.	prescribe. Said commissioner shall audit and allow all bills for traveling expenses incurred in the pursuit of criminals, by members of the force, or any other officer or person, and present the same to the board of county auditors of Wayne county for payment, in all cases where criminals are charged with offenses in said city; and the said board of auditors shall in no way allow or cause to be paid by said county, any bill or account for the pursuit or apprehension of criminals charged with or suspected of the commission of crime in said city, unless the said bill or account is presented by said commissioner of police and endorsed as allowed by him. Said
To cause removal of nuisances.	commissioner shall cause nuisances existing in the public streets, roads, places, highways, yards and outhouses to be removed; he shall report all leaks and defects in water pipes and sewers and all defective and dangerous sidewalks, to the proper authorities. He shall provide a proper force at every
To provide force at fires.	public fire to protect the firemen in the performance of their duties and to preserve property for the owners thereof. He shall protect strangers and travelers at steamboat landings and railway stations, and generally shall carry out and enforce all ordinances of the city and laws of the State. When-
To order arrest of criminals.	ever any crime shall be committed in said city and the person or persons accused or suspected of being guilty shall flee from justice, the said commissioner of police may authorize any person or persons to pursue and arrest such accused or suspected person or persons, and return him or them to the proper court having jurisdiction of the offense, for trial.
Members of force, how governed and qualifications.	SEC. 9. The qualifications, enumerations and distribution of duties and mode of trial and removal from office of each officer and member of said police force, shall be particularly prescribed by rules and regulations of said commissioner of police, and no person shall be appointed to or hold office in the police force who is not a citizen of the city of Detroit, shall not have resided in the State of Michigan two years next preceding his appointment, who cannot read and write the English language or who has ever been convicted of any
Proviso.	crime: Provided, That no person, except the superintendent, deputy superintendent, detectives, the attorney, the surgeon, secretary and property clerk, shall be removed from said

force, except upon written charges preferred against him to the commissioner of police, and after opportunity of being heard in his defense; but the commissioner of police may suspend any member of the force pending the hearing of charges against him. Said commissioner of police may also at any time, in his discretion, and without charges or trial, reduce any officer from his rank, grade and pay, to a lower rank and pay, and either permanently or temporarily promote any officer to his position without regard to the relative rank or grade of such other officer: Provided, Whenever any vacancy occurs in the office of captain of police, the same shall be filled from among the persons then in office as sergeants, roundsmen or patrolmen. The commissioner of police shall receive an annual salary payable from the treasury of the city of Detroit, in monthly installments, of the sum of five thousand dollars per annum. All other salaries and compensations to the officers, appointees and employes of the department shall be prescribed and determined by the commissioner of police and shall be paid semi-monthly to the persons entitled thereto. No member of the police force shall receive or share in, under any pretenses whatever, any present, fee, gift or emolument for police services, other than the regular salary and pay provided by this section, except by the consent of said commissioner of police, and it shall be the duty of every member of said police force to return to the property clerk, to be disposed of as hereinafter prescribed, every present, fee, gift or emolument received by him, except said commissioner permits him to retain the same for his own use; and all moneys and proceeds of all property received from this source shall be disposed of by said commissioner as if the same had been paid or given for extraordinary services, as prescribed in the eleventh section of this act. Nor shall any member of said force receive or share in any fee, gift or reward from any person who may become bail for the appearance of any arrested, accused or convicted person, or who may become surety for any such person on appeal from the judgment or decision of any court or magistrate, or any fee, gift or reward in any case, from any attorney at law who may prosecute or defend any person arrested or prosecuted for any offense within the county of Wayne; nor shall any member of said force, either directly or indirectly, interest himself in behalf of or interfere in any manner whatever against persons arrested or accused, excepting in the performance of the duties of his office; and for any violation of either of the foregoing provisions the members so offending shall be immediately removed from office.

Commissioner
may reduce
or advance
officers.

Proviso.

Salary of
commissioner.

Members of
force not to
receive gifts,
etc.

SEC. 10. Any citizen of Detroit, or officer of the police force, with a view to the trial and suspension or removal from office of any officer or patrolman of the police force, may, on oath, in writing, prefer or make before the commissioner of police charges or complaint touching the character or

Charges
against mem-
bers of force,
how made.

Who to have charge of trial.	<p>competency or affecting the acts, conduct or omissions of such officer or patrolman, or for violation of or misconduct as defined or prescribed by the rules and regulations of the police department; and said commissioner of police, after reasonable notice, in his discretion, to the person charged, shall proceed to the trial of said officer or policeman, on such charges or complaint, and shall have power to, and shall issue subpoenas, tested in the name of the commissioner of police, to compel the attendance of witness, to administer oaths and affirmations, and generally shall, for the purpose of such trial, have and exercise the powers and duties of justices of the peace in civil cases, so far as applicable, and may make an order of removal or suspension for some certain period, or may impose a fine to be deducted from the pay of the officer accused. If on such trial such charges or complaint shall be sustained, such officer or policeman shall pay the costs of such proceedings, and the same may be deducted and withheld from his pay, and in case of his suspension his pay shall also cease from the date of the charge and during the suspension. In trials under this section the same costs shall be charged and taxed as in trials before justices, and be collected on execution, as the case may be, from the court, or on execution to be issued by any justice of the peace, on certificate of the same by the board, and order for execution, said costs when collected to be paid to the said commissioner of police for the benefit of those concerned, but said commissioner shall not tax or receive any fees for himself.</p>
Costs, how paid.	<p>SEC. 11. All rewards, fees, proceeds of gifts and emoluments, that may be allowed by the commissioner of police to be paid or given for and on account of extraordinary services of any member of the police force, and all moneys arising from the sale of unclaimed goods, shall be paid into the city treasury, and shall constitute a fund to be called the "police fund and health insurance fund," and the person who shall from time to time fill the office of commissioner of police, and the person who shall from time to time fill the office of controller of the city of Detroit, are hereby declared the trustees of said fund, and may invest the same as they shall see fit, either in whole or in part, and shall have power to draw the same from the treasury for that purpose.</p>
Certain moneys to constitute an insurance, etc., fund.	<p>SEC. 12. Whenever any member of the police force, in actual performance of his duty, and in consequence of the performance of such duty, shall become bodily disabled, his necessary expenses, during the time his disabilities as aforesaid continue, and consequent thereof, may become a charge upon the fund provided for in the preceding section, at the discretion of the said commissioner of police and city treasurer, who shall inquire into the circumstances, and if satisfied that the charge upon said fund is correct, may order the same to be paid by the draft of said trustees upon said fund, each writing his signature thereto, but the provisions of this</p>
When member of force disabled.	

section shall not apply to special patrolmen as hereinafter provided, at the request and expense of private parties.

SEC. 13. The commissioner of police, the superintendent, or deputy superintendent, or any member of such police force, having just cause to suspect any felony is being or is about to be committed within any building, public or private, or on any wharf or enclosure, or aboard of any ship, boat or vessel within said city, may enter the same at all hours of the day or night, to take all necessary measures for the effectual prevention of all felonies, and may then and there take into custody all persons being concerned in such felony, and also may take charge of all property which he or they shall have then or there just cause to suspect to have been stolen. The members of such police force shall also serve and execute all process and subpoenas issued in the recorder's court and the police court of said city: Provided, That it shall be the duty of said commissioner of police and of the officers of said police force, to cause to be brought before one of the police justices of the city of Detroit, at the police court of said city, every person arrested by any of the members of said police force on suspicion of felony, or for any other cause, within a reasonable time after such arrest, and such justice, on hearing the grounds of said charge may, by written order, remand such person to the custody of said police force for a period of twenty-four hours, and from time to time may renew such remand at intervals of twenty-four hours: Provided however, That no such person shall be actually detained in prison more than ten days by such order: And provided further, That if such person shall furnish a bond in such amount and with such sureties as such police justice may order, conditioned that such suspected person shall appear in said police court on a day named, and from day to day thereafter, as such police justice may order, to answer to any charge that may be presented against him or her, then on the furnishing of such bond, such suspected person shall be discharged from custody.

When members of force may enter buildings.

To serve process, etc.

Proviso as to arrested person.

Further proviso as to bond.

SEC. 15. It is hereby made the duty of the commissioner of police, for more effectually distributing and enforcing its police government and discipline, to divide the said city of Detroit into precincts, without regard to ward boundaries, and to assign captains of police or other proper officer to each of the said precincts, as he shall deem for the best interests of the said city. He may from time to time establish a station or sub-station in each precinct or division, for the accommodation of the police force on duty therein. It shall be the duty of the police force to respect and obey its superintendent of police as the head and the chief of the same, subject to the rules, regulations and general orders of said commissioner of police.

Commissioner to divide city into precincts.

May establish stations.

May appoint
special
policemen.

When to
furnish
detectives.

When may
appoint
additional
policemen.

To prescribe
uniforms, etc.

Proviso as to
appointment.

Proviso as to
powers at
elections.

Further
proviso.

SEC. 16. The commissioner of police is hereby authorized to appoint persons of suitable character who may be in the employment of the city and other departments, special policemen or patrolmen, provided such special policemen shall not be paid for their services as policemen, either from the police fund or from the city or county treasury. Such policemen shall possess the same powers as the regular police patrolmen, but shall obey the rules and regulations of the commissioner of police, and conform to the general discipline. Said commissioner shall also furnish, on request of the corporation counsel, one or more detectives, who shall be assigned to duty in connection with said department, and shall receive such salary as shall be fixed by said commissioner of police, payable from the police fund in bi-monthly installments.

SEC. 17. The commissioner of police, whenever it shall to him seem proper, may, on the application of any person or persons showing the necessity thereof, appoint and swear in any number of additional patrolmen, to do duty at any place within said city, at the charge and expense of the person or persons by whom the application shall be made, and the patrolmen so appointed shall perform duty only at the place designated in such application or by said commissioner and shall continue in office at the pleasure of said commissioner, subject to and under the rules and regulations of said department, and shall conform to the general discipline of the force and such regulations as shall be made for their government. They shall wear such dress and emblems as the commissioner shall prescribe, and shall possess as conservators of the peace all the powers and privileges and shall perform all the duties of the force herein prescribed: Provided, That no patrolman shall be appointed under this section until he shall have paid into the trust fund hereinbefore provided the sum of five dollars. The person so appointed may be removed at any time by the commissioner of police without cause assigned for the removal. The commissioner of police may also, upon any emergency, or mob, pestilence, invasion, or during any day of public election, or celebration appoint as many special patrolmen from among the citizens of Detroit as he may deem advisable, for a specified time; and during the term of service of such special patrolmen they shall possess all the powers and privileges and perform all the duties of patrolmen of the force herein created, and shall receive such compensation, not exceeding three dollars per day, as said commissioner may prescribe: Provided always, That nothing herein contained shall give said commissioner or said patrolmen power to do anything in conflict with the powers of inspectors of election in said city: And provided further, That policemen stationed at the polls on election days shall perform all the duties of and be subject to all provisions of law relating to their attendance or to the attendance of constables at the polls on election days, and no constable in said city shall receive compensation for attendance upon the polls.

SEC. 18. No member of the police force, under penalty of forfeiting the pay which may be due to him, shall withdraw or resign from the police force, unless he shall have given one week's notice thereof in writing to the superintendent of police; and no person who shall ever be removed from the police force established by this act, for cause, shall be reappointed by the commissioner of police to any office in the police force.

Members of
force to give
notice of
resignation.

Removed
person not
eligible to
reappointment.

SEC. 19. All stolen or other property seized officially by the members of the police force, shall be deposited with the property clerk and kept in a place to be designated by said commissioner of police; and in case of neglect or refusal of any officer to so deposit the property taken or found in the possession of any person or persons arrested, he shall be guilty of a misdemeanor, and be subject to indictment, on information, and upon conviction be fined a sum not less than the value of the property nor exceeding three thousand dollars, and be imprisoned not to exceed one year; and the sentence of the court shall vacate the office of the person so convicted. All property or money taken on suspicion of having been feloniously obtained, or of being the proceeds of crime, and for which there is no other claimant than the person from whom it was taken, and all lost property coming into the possession of any member of said police force, and all property and money taken from pawnbrokers, as the proceeds of crime, or by any such member from any insane or intoxicated person, or persons otherwise incapable of taking care of himself, shall be registered by the property clerk, in a book kept for that purpose, together with the name of the owner, if ascertained, and the name of the place where found, and of the person from whom taken, with the general circumstances and the date of its receipt, the name of the officer recording same, and shall be advertised, if the owner's name is not ascertained, in such manner as the rules and regulations of the department shall prescribe. An inventory of the money or other property shall be given to the person from whom the same is taken; and in case the same shall not, within ten days of such arrest and seizure, be claimed by any other person or persons, it shall be delivered to the person from whom it was taken, and to no other person, except by order of the commissioner. In case said money or other property shall, within said ten days, be claimed by any other person than the one from whom it shall be seized, it shall be retained by the property clerk until after the discharge or conviction of the person from whom the same was taken; and if the claimant or claimants shall establish to the satisfaction of the court before which the person from whom such money or property is taken, that he or they are the rightful owners of the same, the same shall be restored to him or them upon the order of said court; but if the court makes no order, said property shall be

Property
seized, where
deposited.

Record to
be kept of
money taken.

Proceedings
when money
not claimed.

Remaining money to be put in insurance fund.	returned to the accused personally. All property and money that shall remain in the custody of the property clerk for the period of six months, without any lawful claimant thereto, it shall be put into the "police life and health insurance fund," and the property shall be sold, after being advertised three times in some public newspaper in said city, and the proceeds paid to said fund. The commissioner of police shall cause to be kept general complaint books, in which shall be entered every complaint preferred upon personal knowledge of the circumstances thereof, with the name and residence of the complainant. Said commissioner shall also cause to be kept books for the registry of loss, missing or stolen property for the general convenience of the public and the police force of the city. He shall also cause to be kept books of record, wherein shall be entered the name of every member of the police force, his time and place of nativity, the time and place where he became a citizen (if he was born out of the United States), his age, his former occupation, number of his family and the residence thereof, the date of his appointment and dismissal from office, with the cause of the latter; and in every such record sufficient space shall be left against all such entries, wherein to make record of the number of arrests of such members of the police force, or of any special service deemed meritorious by the commissioner of police. Said commissioner shall also cause to be kept in proper books, the accounts of the said department, and a record of its proceedings; and he shall preserve and file copies of all bills audited and allowed by him, and keep an accurate account of all of the expenses of the police department. He shall cause to be kept and bound all police returns and reports. Said commissioner shall designate in public orders a time when, on at least two days in each week, for a period of at least three hours on each of said days, he will be at his office in the central station and accessible to all persons who may desire to confer with him or to make complaints touching the conduct of any member of said force; and it shall be his duty to attend at such time and to act upon such complaints within a reasonable time thereafter; and he shall direct the secretary to make proper records of such complaints and of his action thereon.
Complaint book to be kept.	
Further books to be kept.	
To designate certain office hours.	
Station houses to be provided.	SEC. 20. It shall be the duty of the commissioner of police to provide, at the expense of said city, all necessary accommodations within such precincts as shall be contained within the boundaries of said city, for the station houses required by the department for the accommodation of the police force of such precincts, for the lodging of vagrant and disorderly persons, and for the detention of persons arrested for offenses. It shall also be the duty of said commissioner of police to furnish the same suitably, and to warm and light the same by day and night and provide food for any person or persons detained in any of the said station houses, when such food is
How to be furnished, etc.	

deemed necessary for such person or persons by the officer in charge; and in every case of arrest the same shall be made known to the captain or sergeant on duty in the precinct wherein such arrest is made, by the person making the same; and it shall be the duty of said captain or sergeant, as soon as practicable after such notice, to make written return thereof, according to the rules and regulations of the department, together with the name of the party arrested, the offense and place of arrest and the place of detention. All persons arrested by the officers or members of the police force shall be detained, while in their custody, only in the places provided for that purpose, and no trial or examination of any person arrested shall be held in the office of the superintendent of police or of the commissioner of police. Necessary and usual articles of clothing or personal apparel upon the person, or in the possession of persons arrested and detained, shall not be taken or seized by the police, unless there be reason to suspect that the clothing has been stolen or obtained unlawfully. The commissioner of police shall provide suitable accommodations in said city for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings, and such accommodations shall be in places other than those for the confinement of persons charged with crime, fraud or disorderly conduct; and it shall be the duty of all magistrates, in committing witnesses, to have regard to the rules and regulations of the police department in respect to their detention. Every person arrested by the police, charged with the violation of the city ordinances, shall be entitled to give special bail for his appearance to answer to such charge, but no member of the police force shall become or furnish bail for any person arrested.

Notice of
arrests to
be given.

Persons
arrested,
how detained,
etc.

When
clothing
may be
seized.

Proceedings
when wit-
nesses unable
to furnish
security.

Persons
entitled to
give bail.

SEC. 22. It shall be the duty of the commissioner of police to prepare and submit to the city controller, on or before the fifteenth day of February in each year, an estimate of the whole cost and expense of providing for and maintaining the police department of the said city through the next ensuing fiscal year, which estimate shall, so far as practicable, be in detail, and shall be made by the controller before the common council at the annual estimate, such estimate, or so much thereof as the council shall approve; shall be submitted by the common council to the board of estimates of said city, and so much of the total amount thereof as shall be approved by the board of estimates shall be provided for in the general tax assessment by levy to be made on said city and collected with the other city taxes; said money when collected shall be paid into the city treasurer, and shall be styled the police fund: Provided however, That the common council shall have power to apply and credit the whole or any portion of the money received from the liquor taxes to the police fund, in lieu of raising that portion of the appropriation by general taxation. The amount of the estimate not approved by the

Commissioner
to submit
estimate
of cost of
department.

Proviso.

council or board of estimates shall be deducted from the total amount thereof.

Bills, etc.,
to whom
submitted.

Proviso.

SEC. 23. All bills, accounts and claims of every character against the police fund shall, after having been duly audited by the commissioner of police, and certified by him and by the secretary of said department, be transmitted to the controller, who shall submit the same to the common council with his approval or disapproval. When said bills, accounts and claims shall have been allowed by the common council, the controller shall draw his warrant or warrants on the city treasurer in payment therefor: Provided however, That no bill, account or claim against the police fund shall be allowed by the commissioner unless the same shall be accompanied by an affidavit of the person rendering it, that he verily believes that the services or property therein charged have been actually performed or delivered to the city; that the sums charged therefor are reasonable and just, and that to the best of his knowledge and belief no offset exists or payment has been made on account thereof, excepting as are included or referred to in such bill, account or claim. The commissioner of police and secretary of such department shall certify to the controller all pay rolls of the department allowed by said commissioner, and the city controller shall draw his warrant on the city treasurer for the amount thereof, and shall transmit said rolls to said city treasurer, together with such warrant and the city treasurer shall pay to the several persons named in said roll the amount due to them and named in said roll.

Expenses
may be in-
curred by
department.

SEC. 24. No expenses other than the salaries or as otherwise provided for herein shall be incurred by the police department, except for rents, books, stationery, printing, telegraphing, badges, clubs, furniture of necessary rooms, stations and offices, preservation, repairs and cleaning of the buildings and rooms used by said police force, advertising, lights, fuel, board of prisoners and witnesses, and for the arrest, conveyance and custody of prisoners and witnesses and preservation of the discipline and good order of the force, together with all the expenses which are actually necessary to perform all the duties and exercise all the powers by this act enjoined upon said police department and granted to it, unless the same shall be expressly authorized and provision made therefor as a city charge by the common council of said city. The books and accounts kept by said commissioner of police shall at all times be subject to the inspection of the mayor and controller, or either of them; and the common council may at any time acquire information respecting the same, the disclosure of which shall not impair the usefulness or efficiency of the force.

Books, etc.,
open to in-
spection of
mayor or
controller.

Commissioner
to comply with
requests of
common
council.

SEC. 25. The commissioner of police shall, when consistent with the requirements of this act, furnish all information desired and comply with all requests made by the common council of said city or by the mayor thereof; to quell

riots, suppress insurrections, protect the property and preserve the public tranquility. The secretary shall have power to issue subpoenas when directed by the commissioner, and attested in his name, to compel the attendance before said commissioner of witnesses upon any proceeding authorized by the general rules and regulations, or upon the hearing of complaints. The commissioner of police, the superintendent and the secretary are hereby given power to administer, take, receive and subscribe all affirmations and oaths to any witnesses summoned and appearing in any matter, proceeding, or hearing as aforesaid, or to any depositions necessary under the general rules or regulations of the department. Any wilful and corrupt false swearing by any witness or any person making deposition before any of the officers last mentioned, to any material fact in any necessary proceedings under said rules and regulations shall be deemed perjury and punished in the manner now prescribed by law for such offense. The provisions of law now existing in respect to the attachment of witnesses before justices of the peace and for the compulsory attendance of said witnesses for the purpose of testifying before them are hereby applied to the case of witness subpoenaed before the commissioner of police.

Officers that
may take
oaths, etc.

False swear-
ing, what
deemed, how
punished.

SEC. 26. The commissioner of police shall require and make suitable provisions concerning security to be entered into by the superintendent, deputy superintendent, the captains of police, and the property clerk, and he may in his discretion require security from any member of the force conditioned for the performance of any duty involving the care and disposition of any money or property. Said commissioner may require each member of the force to take the constitutional oath of office, and the registry of the certificate thereof in a book to be kept for the purpose, which oath may be taken before said commissioner or superintendent, or secretary, who is hereby empowered to administer the same.

Commissioner
may require
security from
officers.

May require
members to
take oath.

SEC. 27. The superintendent of police shall make to the commissioner of police quarterly reports in writing of the state of the police force, with such statistics and suggestions as he may deem advisable for the enforcement of the police government and discipline. The commissioner of police shall, on or before the first Monday in April of each year, report in writing the condition of the force within the said city to the common council.

Superin-
tendent
to make
quarterly
report to
whom.

Commissioner
to make re-
port to
council.

SEC. 30. The commissioner of police may at any time be removed by the Governor under the provisions of statutes relating to the removal from office of sheriffs, which provisions are hereby extended so as to relate to said commissioner; and in all cases where charges are made against the commissioner, he shall have an opportunity to present evidence in his behalf and be heard in person or by counsel.

May be re-
moved by the
governor.

When deemed
to have re-
signed.

SEC. 31. If said commissioner or any member of the police force during his term of office, accept or hold any office elective by the people or any other appointive office, or shall, during his term of office, be publicly nominated for any office, elective by the people, and shall not, within ten days succeeding the same, publicly decline the said nomination or appointment, he shall, in either case, be deemed thereby to have resigned his commission, and to have vacated his office.

Officers
under his
control.

SEC. 33. The superintendent, deputy superintendent, and all members of said force, shall be subject to the control and direction of the commissioner, and shall perform such duties and have charge of such details as the commissioner shall prescribe. In the absence of the superintendent, the deputy superintendent shall have and exercise all the powers conferred by this act on the superintendent, and shall be subject to removal in the same manner as the superintendent. The commissioner of police shall perform the duties required by the president of the board of police commissioners to be performed in an act providing for pensioning the widows and orphans of the members of the police force of the city of Detroit, approved June twenty-third, A. D. eighteen hundred ninety-one. The commissioner of police shall be a member of the board of estimates of said city. The said commissioner shall have the power, under this act, to change the titles of the several officers appointed by him, and to designate thereby such titles as he shall see fit.

In case super-
intendent
absent.

This act is ordered to take immediate effect.

Approved May 4, 1901.

[No. 417.]

AN ACT to amend sections one, two, three, four, five, six, seven, eight, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, twenty-two, twenty-four, twenty-six, twenty-eight, thirty-one, thirty-two, thirty-three, thirty-nine, forty, forty-two, forty-five, forty-seven and fifty of an act entitled "An act supplemental to the charter of the city of Detroit and relating to parks, boulevards and other public grounds in the said city and to repeal act number three hundred and seventy-four of the local acts of eighteen hundred and seventy-nine, entitled 'An act to provide for the establishment and maintenance of a broad street or boulevard about the limits of the city of Detroit and through portions of the townships of Hamtramck, Greenfield and Springwells in the county of Wayne, approved May twenty-first, eighteen hundred seventy-nine,'" approved May eighth, eighteen hundred eighty-nine, as amended.

The People of the State of Michigan enact:

SECTION 1. That sections one, two, three, four, five, six, seven, eight, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, twenty-two, twenty-four, twenty-six, twenty-eight, thirty-one, thirty-two, thirty-three, thirty-nine, forty, forty-two, forty-five, forty-seven and fifty, of an act entitled "An act supplemental to the charter of the city of Detroit and relating to parks, boulevards and other public grounds in the said city, and to repeal act number three hundred and seventy-four of the local acts of eighteen hundred and seventy-nine, entitled 'An act to provide for the establishment and maintenance of a broad street or boulevard about the limits of the city of Detroit and through portions of the townships of Hamtramck, Greenfield, and Springwells in the county of Wayne, approved May twenty-first, eighteen hundred and seventy-nine,'" approved May eighth, eighteen hundred and eighty-nine, as amended, be and the same is hereby further amended so as to read as follows:

SECTION 1. Within five days after this act shall take effect the common council of the city of Detroit shall appoint a commissioner of parks and boulevards, the term of office of such commissioner to commence on the first day of the month next following his appointment, and he shall hold office for the term of four years and until his successor is appointed and qualified. During any sickness, absence or other temporary inability of the commissioner to perform his duties, the secretary shall be the acting commissioner and perform the duties and have the powers of commissioner.

SEC. 2. Every person appointed a commissioner of parks and boulevards shall be an elector and freeholder of said city

Sections amended.

Commissioner of parks, etc., by whom appointed.

Term of office.

Qualifications.

To take oath. of Detroit, and shall, before entering upon his office, take and
To give bond. subscribe the oath of office prescribed by the constitution
 and file the same in the office of the city clerk. He shall also
 make and execute to the city of Detroit a bond, with one or
 more responsible sureties, or with a responsible surety com-
 pany as surety, and approved by the controller of the said
 city of Detroit, in the penal sum of fifty thousand dollars,
 conditioned for the faithful performance of the duties of his
 office, which said bond shall be filed with the city clerk.

Where filed.
**Powers and
 duties.**

SEC. 3. All the powers and duties now vested in the exist-
 ing board of park and boulevard commissioners, from and
 after the appointment of said commissioner of parks and
 boulevards and upon his entering into said office, are hereby
 abrogated and revoked, and the said present commissioners
 shall deliver to the commissioner hereby authorized to be
 appointed, all their official records, books, plans and papers,
 and all property in their custody or under their control.

**Vacancy, how
 filled.**

SEC. 4. At the expiration of the term of office of the com-
 missioner, the mayor of the said city in like manner shall
 appoint a suitable person of like qualifications as his suc-
 cessor, for the full term of four years, and a vacancy shall be
 filled by appointment by the mayor for the residue of the term
 vacant; and the persons so appointed, upon taking and filing
 with the city clerk the oath of office and bond as heretofore
 prescribed for such office shall perform the duties of said
 office for the term for which they are appointed, or for the
 residue of the term vacant, as the case may be. The said
 commissioner of parks and boulevards shall have the right
 and it shall be his duty to demand, obtain and receive, all
 the official records, books, plans and papers above mentioned,
 from any person or persons who may have the same or any
 portion thereof in their custody, and thereafter he shall have
 the care, custody and control of the same. The said commis-
 sioner may be removed by a vote of two-thirds of the members
 elect of the common council, but only upon written charges
 and an opportunity to appear and defend with the aid of
 counsel.

**How may be
 removed.**

**To appoint a
 secretary.**

SEC. 5. The commissioner of parks and boulevards shall
 appoint a secretary, who shall hold office during his pleasure
 and shall make all needful general rules and regulations for
 the transaction of business of his department, and may em-
 ploy and at his pleasure discharge superintendents, engineers,
 clerks, agents and subordinates, and prescribe their compen-
 sation. All officers and appointees, or either of them, shall
 give security for the faithful performance of their trust, as
 said commissioner may require.

**To have
 control of
 parks, etc.**

SEC. 6. The commissioner of parks and boulevards shall
 have the control and management, and shall have charge of
 the improvements of all the parks and public grounds of said
 city, including the island park, known as Belle Isle park, and
 of such parks and public grounds as may hereafter be ac-

quired, laid out, purchased or dedicated for public use in said city. And he shall likewise have the control, management and charge of the improvement and maintenance of the boulevard, which was laid out and established by the act creating said board of boulevard commissioners, and of any other boulevard which may at any time be hereafter acquired, laid out, established or located by said city. The authority hereby conferred shall not be construed as giving any charge or control to said commissioner over and to the improvement of any of the ordinary public streets or alleys. When the estimated cost of any work or improvement ordered by said commissioner shall exceed the sum of five hundred dollars, the same shall be done by contract, after advertisements for bids in at least two daily papers, printed in said city, for at least seven days.

When work
to be done by
contract.

SEC. 7. The said commissioner may make all needful rules and regulations for the management, maintenance and care of the said parks, public grounds and boulevard or boulevards, and regulate their use, and the common council of said city may provide by ordinance for the observance of the same, and may also in like manner provide for the observance and enforcement of any other rules and regulations duly made by said commissioner under any of the provisions of this act. And said common council may by ordinance provide for the preservation and protection of the parks, public grounds and boulevards, and any of the property in charge of said commissioner against any destruction or injury, and prevent the destruction or injury to, or taking of any trees, shrubs, plants, flowers or other things set out, planted or used by said commissioner in beautifying, improving or ornamenting said parks, public grounds or boulevards, and prevent any disorder or disturbance on or about said parks, public grounds or boulevards, or any encroachment thereon or interference with the quiet and peaceable use and enjoyment of the same for the purposes for which the same are established and maintained. Said ordinances may provide for the punishment for any breach or violation of any of their provisions by like penalties provided for violation of ordinances of said city. The commissioner or commissioners of metropolitan police for the city of Detroit, upon request to said commissioner of parks and boulevards, shall detail for service in any of the grounds under the charge of said commissioner of parks and boulevards, so many of the police force as may be necessary to maintain order and protect the property thereon, and any policeman on duty on said grounds may remove therefrom any person who may violate any of the rules and regulations of said commissioner, or of any of the ordinances of said city, adopted as aforesaid, relating to said parks, public grounds or boulevards.

To make rules
regulating
parks, etc.

Common
council
may provide
for the pro-
tection of
parks, etc.

Who to pro-
vide police
for parks,
etc.

Commissioner
to submit
estimate
of money
needed.

SEC. 8. The commissioner shall annually, before the first day of April, prepare and submit to the common council, an estimate of the amount of money that should be raised for the ensuing fiscal year for the purpose of improving and maintaining the grounds under his charge, which estimate shall specify the sums desired for each of the several objects of expenditure, and at the same time make a report to the common council of the amount of revenue and income which it is estimated shall be received during such fiscal year from any source. Said commissioner shall be a member of the board of estimates of said city.

Bills, how
audited and
to whom
submitted.

SEC. 10. All bills, accounts and claims of every character against the said department, shall, after having been duly audited by said commissioner and certified by him and the secretary, be transmitted to the city controller, who shall submit the same to the common council with his approval or disapproval. When said bills, accounts and claims shall have been allowed by the common council, the controller shall draw his warrant or warrants on the city treasurer in payment therefor: Provided however, That no bill, account or claim against said department shall be audited by the commissioner, unless it shall be accompanied by an affidavit of the person rendering it that he verily believes the services or property therein charged have been actually performed or delivered to the city, and that the sums charged therefor are reasonable and just and that to the best of his knowledge and belief no offset exists or payment has been made on account thereof, except such as are included or referred to in

Proviso.

Pay rolls to be
certified.

such bill, account or claim. All pay rolls shall be certified by said commissioner and secretary, and shall be delivered to the city controller, who shall draw his warrant for the payment thereof and deliver the same to the city treasurer, together with said pay roll, and said city treasurer shall pay the amounts mentioned in said pay roll to the persons entitled thereto. No debt or liability of any kind shall be created by said commissioner during any one fiscal year in excess of the moneys then in said fund, or which may have been authorized to be raised by the common council for said year. The commissioner may receive donations or bequests of money or property, which shall be used for the maintenance and improvement of the grounds under his charge, or either of them, as contemplated by such donations and bequests, which said money shall be paid into the city treasury by him, and warrants drawn against the same, as in case of other expenses of such department, for the purposes for which said donation or bequest shall have been made.

May receive
donations, etc.

To have con-
trol of certain
bridge, etc.

SEC. 11. The bridge connecting Belle Isle with the main land and its approaches, and such lands as may be hereafter purchased or condemned in connection therewith, shall, for the purposes of this act, constitute a part of Belle Isle park, and said commissioner shall have the custody and control

of same, subject to the general directions of the common council, and it shall be his duty to see that all suitable rules and regulations respecting the use of said bridge and its approaches are enforced. The necessary engineers or bridge tenders shall be appointed by the board or commissioner of public works of said city, and their compensation paid from the fund of said board or commissioner of public works; and the making of the necessary repairs and the maintenance of said bridge shall be under the direction and supervision of said board or commissioner, and be subject to the authority of the common council, but the expense thereof shall not be made a charge upon the said park fund.

SEC. 12. Said commissioner of parks and boulevards shall receive for his services the sum of five thousand dollars per annum, payable in monthly installments. He shall vacate his office in the event of his accepting or holding any other civil office; and any commissioner who shall be publicly nominated for any office elected by the people, and who shall not decline said nomination within ten days after he shall have been informed thereof, shall be deemed to have vacated his office. Salary.

SEC. 13. The commissioner shall make an annual report to the common council of his doings and of the expenditures made by him and showing the situation and condition of affairs under his control. The common council may require a report from said commissioner at any time, and the records, books, papers and the accounts of the department shall at all times be subject to the inspection of the mayor, controller, or of any committee appointed by the common council for that purpose. When deemed to have resigned.

SEC. 14. The grounds of which said commissioner may have control shall be used and enjoyed solely for the purposes for which they were established: Provided, That privileges for the hiring of boats and vehicles and other like purposes such as are usual in public parks, may be let by the commissioner for a period not exceeding two years, but the same shall be exercised and permitted only upon the same being subject to his supervision and direction, and to such orders, rules and regulations as he may make at any time: Provided, That the said commissioner may prohibit and prevent the construction or operation of any railway or tramway, engines, cars, or motors on Belle Isle park or other city park, or along the boulevard. To make annual report to council.

SEC. 15. If at any time it shall appear that the lines of said boulevard authorized by said act, approved May twenty-one, eighteen hundred and seventy-nine, have not been legally laid out or established as provided by said act, the commissioner may make and certify a map or plat showing the lines or location of certain boulevards and cause the same to be recorded in the office of the register of deeds for said county. Use of grounds. Proviso as to privileges, etc. Proviso.

The commissioner may receive conveyances granting to the city of Detroit lands for said parks, public grounds or boulevards and, with the approval of the common council, may agree with any person having an interest in any such lands for the purpose of conveyance to said city of the same; and with the consent of said common council, may acquire, by purchase or by legal proceedings in the manner hereafter provided, any lands or interest in lands which may be found necessary for the opening of any park and enlargement or extension of any park or boulevard which may hereafter be laid out, located or established; and upon such acquisitions being made, cause the proper conveyances to be made and recorded, and the purchase price thereof, as well as any compensation to be paid for any lands which may be taken or condemned by proceedings taken therefor, as hereinafter provided, may be paid from the contingent fund of said city, or may be raised, if the common council shall so determine, by the issue of bonds, to be known as park and boulevard bonds, and which shall be signed, numbered, sold and issued in like manner as Detroit sewer bonds are by the city charter required and authorized to be made and issued; and the moneys so paid or raised shall be exclusive of the amounts raised for maintenance and improvements as hereinbefore provided.

To present
petition to
whom, when
legal pro-
ceeding
necessary.

Petition,
what to set
forth.

SEC. 16. Whenever in the acquisition of any land which said commissioner may be authorized to acquire, said commissioner may find it necessary or expedient to make such acquisitions by legal proceedings as hereinafter provided, said commissioner shall present to the recorder's court of the city of Detroit his petition, verified by him, his secretary or attorney who may be appointed to conduct such proceeding, briefly setting forth the grounds and objects thereof, and praying that a jury of freeholders may be empaneled to ascertain and determine the necessity for the taking of such lands, and to determine or award the damages or compensation to be allowed to the respective parties entitled thereto for such takings. The petition shall set forth the description of lands sought to be acquired, the purposes for which the same are sought, the names and residence of the owners of such lands or of other persons having interest therein, so far as known; and if any of such persons are infants, idiots or of unsound mind, such fact shall be stated, with the age of such infants. It shall be competent to unite in said petition two or more distinct parcels of land, though owned by different persons, and parties having different interests or estates in any land or any part thereof, may be united as respondents in respect to the same in the petition.

Duties of jury.

SEC. 22. The jury shall hear the proofs and allegations of the parties and the arguments of counsel, and if so ordered by court, shall go to the place of the intended improvements in charge of an officer, and upon or as near as practicable to any property proposed to be taken, and examine the premises.

They shall be instructed as to their duties and the law in the case by the court, and shall repair in charge of an officer, and render their verdict in the same manner as on the trial of an ordinary civil suit. The testimony given shall be reported, all objections made and rulings of the court thereon, and exceptions taken, being noted by the regular court stenographer, and the charge of the court, or instructions given to the jury shall likewise be reported by him. The jury shall consider and report in writing on each distinct parcel of land and the interests in the same separately, and when all is finished bring the report into the court, and the same be filed with the clerk. A disagreement of the jury as to one or more distinct parts of land shall not affect their report as to any lands with regard to which they have agreed; and upon such disagreement, the court may, upon motion of the commissioner, with a view to further proceedings, permit the petition to be so amended as thereafter to relate only to the premises affected by such disagreement and to the persons interested therein, and will also cause a new jury to be drawn and empaneled, which new jury shall be drawn and empaneled in the same manner as above provided for the drawing of the original jury, and like proceedings as above provided shall thereupon be had as to the lands concerning which there was such a failure to agree, and such new proceedings may be ordered by the courts as often as may be necessary.

To be instructed as to their duties.

In case of disagreement.

SEC. 24. The court, upon motion of the commissioner, may confirm any report made as aforesaid, unless good cause shall be shown; but if such cause is shown, the court may set aside any report and order a new jury and new proceedings as in the case of the failure of the jury to agree; and upon motion of said commissioner, as well as upon the motion of any of the respondents, may grant a new trial and order a new jury, as in case of the failure of a jury to agree; but motions for a new trial shall be made within two days after rendition of the verdict, or within such further time as shall be allowed by the court, and if no such motion is made, or being made, is overruled, the court shall enter an order confirming the verdict of the jury, and such order shall be final and conclusive as to all persons interested therein.

When court may order new trial and jury.

SEC. 26. Any party interested in any of the lands so sought to be acquired who shall deem himself aggrieved by such final order, or said commissioner, may appeal therefrom to the supreme court, which appeal shall be in writing and filed with the clerk of the court within five days after the making of said final order. The party or parties so appealing, shall within ten days after the making of such order, draw up a statement in the nature of a bill of exceptions, containing so much of the evidence and other proceedings as shall be sufficient to fairly present the question to be raised thereon, and present the same to the judge for his signature, and shall at the same time serve a copy of the same on the

Appeals, when and how made.

When
decision
may be
reversed.

attorney of the appellee, who may propose amendments thereto; and said judge shall within ten days after said bill is presented, cause said bill, if necessary, to be corrected according to the true facts of the case, and shall sign the same and file it with the clerk of said court, who shall forthwith make a transcript of the files and entries in said case and certify such transcript with said bill of exceptions to the supreme court, who shall thereupon have full jurisdiction to determine the case. Assignments of error shall be made and filed as in cases upon writ of error. If error shall be found, the supreme court shall reverse the order, so far as it affects the party appealing, and remand the case to the recorder's court for further proceedings, where the case admits of the same, and said court may permit all amendments needful to limit such further proceedings to the premises affected by such appeal and the persons interested therein, or for the same purpose to permit a supplemental petition to be filed, but in that case it shall not again be necessary to serve process or give due notice, unless it be necessary in order to bring in new parties. Said court may cause a new jury to be drawn and empaneled and the case may be proceeded with in like manner as upon an original petition. The appeal of one or more persons interested in a final order shall not in any way affect said order as to the other persons interested therein who do not appeal, nor as to any lands or interests in lands, in which the appellants have no interest.

When dam-
ages to be
paid.

When com-
missioner
to take
possession.

May make
sidewalk
regulations.

SEC. 28. Within one year after the confirmation of the jury, or after judgment of confirmation shall be affirmed on appeal, the commissioner shall pay or tender to the respective persons entitled to receive the same, the damages and compensation awarded for taking such private property; and in case any person shall refuse the same, be unknown, or be a non-resident of said city, or cannot with reasonable diligence be found in said city, or for any reason deemed incapacitated from receiving his amount, or the right thereto be disputed or doubtful, the commissioner may deposit the amount awarded in such case with the city treasurer, who shall on demand, pay the same over to any person entitled and competent to receive it, taking their receipt therefor. Upon such payment, tender or deposit, the commissioner may enter upon, take possession of and convert such private property for the uses and purposes for which it was taken, and may remove all buildings, fences or other obstructions therefrom.

SEC. 31. The commissioner may make rules and regulations as to sidewalks on the boulevard and as to their width and location, and may prescribe the material and manner in which they shall be constructed on the several portions thereof. It shall be the duty of the owners and occupants of lands abutting on the boulevard to construct and keep all such walks in good repair and in suitable condition for travel thereon. Whenever in the judgment of said commis-

sioner the construction or repairing of any sidewalk in front of or adjacent to any such lands is necessary, he shall notify the owner, his agent or the occupant thereof, to construct or repair said sidewalk. If for the construction of a new walk, such notice shall specify the kind of material and the location where the same is required to be made; such notice shall further state the time within which such sidewalk is to be made or repaired. If the owner or occupant of any such lands shall neglect to construct or repair such walk within the time specified within such notice, the commissioner may cause the same to be constructed or repaired, and he shall thereupon report to the common council the amount of expense thereof, and the sum so reported shall be assessed upon the lands in front of or adjacent in which the said walk was made or repaired, which assessment shall be a lien upon said lands until paid, and shall be levied and collected and in like manner and by the same officer, as other assessments for the construction or repairing of sidewalks are levied and collected. If said commissioner shall deem the condition of any walk to be dangerous to persons traveling thereon, the owner of the premises in front of which such walk may be shall be considered in default, and the commissioner may proceed at once, without notice, to construct or repair the walk, and to report the amount of the expense to the common council for assessment on said premises, as above provided. The moneys received from collections of such assessments shall be credited to the funds from which the cost of construction or repairs shall be paid, and any owner of lands so neglecting to build or repair shall be liable to the city for damages which shall be recovered against the city for any injuries received by any person by reason of such neglect.

To notify owner of necessary repairs.

Proceeding, when repairs neglected.

When commissioner may repair or construct walks.

When owner liable for damages.

SEC. 32. No person shall bring, drive or lead any swine, goat, cattle or any other animal other than horses and other beasts of burden in, on or along the boulevard, Belle Isle, or any other parks or public grounds in charge of the commissioner of parks and boulevards; and no person shall lead any horse, mule or other animal on said boulevard or the driveways of either of said parks; or draw a second carriage, wagon or other vehicle with any horse or other motive power, nor drive thereon any horse before any sleigh or sled, unless there shall be a sufficient number of bells attached to the harness of such horse or to such sleigh or sled, to warn persons of their approach.

Animals not to be led, etc., on boulevard.

Persons to use bells with sleighs.

SEC. 33. No person shall ride or drive in said park or along said boulevard at a rate of speed exceeding eight miles per hour, excepting that horses may be speeded on such parts of said boulevard or Belle Isle park as may be set apart by said commissioner for that purpose, and then only under such regulations as the commissioner may prescribe.

Speed limit on boulevard.

Persons to
have permit
to tunnel, etc.,
in parks.

SEC. 39. No person shall dig, remove or carry away any sward, sand, turf or earth in or from any public park or boulevard, and no person shall open or dig up or tunnel under any part or portion of the boulevard, without a permit from the commissioner of parks and boulevards, and before granting any such permit the applicant therefor shall be required to deposit with the secretary of said commissioner such sum of money as the superintendent of the boulevard, or such other officer as the commissioner may designate for that purpose, shall estimate, will fully cover any expense to be incurred by the commissioner in connection with such opening or tunneling, and the commissioner may make suitable regulations and conditions with respect to issuing said permits. And said commissioner may retain the actual expense, which shall be certified by the superintendent, which may be incurred by the commissioner in connection with any work done by him, for the purpose of restoring any roadways, sidewalk, planting place or other portion of said boulevard, and the secretary shall refund to the person to whom said permit shall be issued the difference, if any, between the amount deposited and the amount so certified by the superintendent.

Carriage ways,
etc., to be
allowed only
on permit.

Carriage or driveways and foot walks connecting with any premises adjoining the boulevard, or hitching posts thereon, shall be allowed only on a permit issued under this section, and the material used in making such ways, walks or posts, shall be determined by the said commissioner.

Persons not
to deposit
debris in
parks.

SEC. 40. No person shall place or deposit any dead carcass, ordure, filth, dirt, stone, ashes, garbage or rubbish of any kind, or other matter or substances on the said boulevard or on any of said public parks, and no person shall wade into or throw any wood, sand, stone or other substance into any basin, pool, lake or fountain in any public park, or bathe or fish in any of the waters thereon, except on Belle Isle park, where persons may bathe and swim, but only under such restrictions and conditions as may be prescribed by the commissioner of parks and boulevards. And no person shall send or ride any animal into same, nor shall any person kill, molest or disturb any fish, fowl or animals kept thereon.

Games not
to be played
on boulevard
or park.
Proviso.

SEC. 42. No person shall play at any game whatever in or upon said boulevard, or on any of the said parks under the charge of the said commissioner: Provided however, That ball, cricket, lawn tennis and other like games or recreation may be played upon such portions of said parks as may be designated from time to time by the commissioner, and under such rules and regulations as may be prescribed by him.

Peddling, etc.,
prohibited in
parks.

SEC. 45. No person shall expose any article or thing for sale, or do any hawking or peddling, in or upon said parks or boulevards, and no person, without the consent of said commissioner, shall play upon any musical instrument, or carry or display any flag, banner, target or transparency; nor shall any military or target company, or band or procession

arrayed, march, drill or perform any evolutions, movement or ceremony within any of said parks, or upon or along said boulevard, without permission of said commissioner, and no person shall do or perform any act tending to the congregating of persons on said boulevard or in said parks.

SEC. 47. All boats and vessels, carriages, railroad cars and other vehicles running for hire to and from said Belle Isle park, or any other park, shall be duly licensed and shall be subject to all the rules and regulations that may be established by said commissioner or by the common council from time to time, and no person shall carry on the business of carrying passengers to and from either of said parks unless their vehicles shall be so licensed. And no person commanding or having any charge of any boat, carrying passengers for hire, shall aid or permit any passengers therefrom to land at any dock on Belle Isle park, excepting such as may be designated for that purpose by the commissioner, and no person having charge of any vessel, shall fasten or tie the same at any dock or wharf in Belle Isle park, excepting for the purpose of receiving or discharging passengers as permitted by this section.

Boats, carriages, etc., in parks to be licensed.

Commissioner to designate docks boats may land at.

SEC. 50. No person shall remove any house or building on, along or across the boulevard, except upon the written permission of said commissioner, which shall be issued only upon such terms and conditions and under such regulations as they may prescribe, and upon a deposit with the secretary of said commissioner of such sum as may be fixed by said commissioner, and as he shall estimate will fully cover all damages to walks, roadways, grass plats, trees and other property and improvements of said boulevard; and said permit shall be issued only upon the express condition that said moving shall be commenced and completed between the hours of one and six o'clock in the forenoon, and the occupancy of the boulevard shall continue only between said hours, that the said moving shall have been completed the roadway, grass plats, walks and other improvements shall be restored to their former condition by the said commissioner, or under the supervision of the superintendent, and the superintendent shall thereupon certify to the secretary the actual expense incurred in such restoration, and the secretary shall refund to the person to whom said permit shall be issued the difference, if any, between the amount deposited and the amount so certified by the superintendent.

Must get commissioner's permission to move houses, etc., across boulevard.

This act is ordered to take immediate effect.

Approved May 4, 1901.

[No. 418.]

AN ACT to amend sections one and two of act number four hundred ten of the session laws of eighteen hundred and ninety-seven, entitled "An act to authorize the county of Dickinson, in conjunction with the proper authorities of Wisconsin, to build and maintain a bridge across the Menominee river."

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections one and two of act number four hundred ten of the session laws of eighteen hundred and ninety-seven, entitled "An act to authorize the county of Dickinson, in conjunction with the proper authorities of Wisconsin, to build and maintain a bridge across the Menominee river," approved April twenty-eight, eighteen hundred and ninety-seven, be and the same is hereby amended so as to read as follows:

Who may
construct.

SECTION 1. That the board of supervisors of Dickinson county, acting in conjunction with the proper officers having charge of roads and bridges in Wisconsin, is hereby authorized to construct a bridge or bridges across the Menominee river at such place or places within the limits of said county of Dickinson, and whenever from time to time said board of supervisors shall deem the same necessary, and said board of supervisors of said county of Dickinson is further hereby authorized, in conjunction with the proper officers having charge of roads and bridges in Wisconsin, to repair and to keep in repair, and to rebuild, when in their judgment it shall be necessary, any and all bridges hereafter built as well as the bridge now crossing said Menominee river, and connecting the city of Iron Mountain, in said county of Dickinson, with the township of Homestead in Florence county, Wisconsin.

Who to keep
bridge in
repair.

Cost of
building,
by whom and
how paid.

SEC. 2. The board of supervisors of said county of Dickinson is hereby authorized to appropriate and pay from the contingent fund of said county, such part of the cost of building, repairing and rebuilding said bridges, as shall be allotted to said county of Dickinson in any arrangement or agreement between said county of Dickinson and the said proper authorities of the state of Wisconsin, respecting the building, repair or rebuilding of any said bridge or bridges.

This act is ordered to take immediate effect.

Approved May 7, 1901.

[No. 419.]

AN ACT to revise and amend the charter of the city of Saginaw, as revised and amended by act number four hundred and sixty-five of local acts of eighteen hundred ninety-seven, approved June second, eighteen hundred ninety-seven, as further revised and amended by act number four hundred and thirty-one of local acts of eighteen hundred ninety-nine, approved June first, eighteen hundred ninety-nine, and to repeal all acts and parts of acts in conflict with this act.

The People of the State of Michigan enact:

SECTION 1. That section three of title one; sections one, three, four, five, eight, ten, thirteen, seventeen, eighteen, nineteen, twenty and twenty-one of title two; sections two, four and eleven of title three; sections one, eight, twelve, fifteen and sixteen of title four; sections six and ten of title five; sections five and six of title six; section three of title seven; section one of title eleven; sections one, two and eleven of title twelve; sections one, four, eight, thirteen, fourteen and sixteen of title fourteen; sections one, two and six of title fifteen; sections twelve, thirteen, seventeen, nineteen, twenty-three and thirty of title seventeen; section one of title eighteen; of the charter of the city of Saginaw, being act number four hundred sixty-five of local acts of eighteen hundred ninety-seven, as amended by act number four hundred and thirty-one of local acts of eighteen hundred ninety-nine, approved June first, eighteen hundred ninety-nine, be and the same are hereby amended, and that one new section be added to be known as section forty-six of title seventeen of said charter, said amended and new sections to read as follows:

TITLE ONE.

SEC. 3. The territory comprising said city commencing January first, A. D. nineteen hundred and two, shall be divided into twenty wards. Wards first to twelve, inclusive, shall be located upon the east, and wards thirteenth to twentieth, inclusive, shall be located upon the west side of the center line of Saginaw river. The particular boundaries of said wards upon the east side of the center line of Saginaw river shall be as follows: All that part of said city east of the center line of Saginaw river lying north of a line commencing at a point at the center of said river where crossed by the Pere Marquette railroad bridge, thence following the center of the main railroad track upon said bridge easterly to the center of Washington avenue, thence south on Wash-

Sections
amended.

Divided into
wards.

Boundaries of
first ward.

ington avenue to the center of Potter street, thence easterly along the center line of Potter street to the center line of Third street, thence north on the center line of Third street to the south line of the right of way and property of the Pere Marquette railroad company, thence easterly on the south line of said right of way and property of said Pere Marquette railroad company to the east city line, shall constitute the first ward. All that part of the city lying east of the center line of Saginaw river south of the first ward, west of the center line of Second street, and north of the center line of Johnson street extended to the middle of Saginaw river, shall constitute the second ward. All that portion of the city east of the center line of Saginaw river, and lying between the center lines of Johnson street, Second street, and Janes avenue extended to the middle of Saginaw river, shall constitute the third ward. All that portion of the city south of the first ward lying between the center lines of Second street, Seventh street, and Janes avenue, shall constitute the fourth ward. All that part of the city south of the first ward lying between the center lines of Seventh street and Janes avenue and the east city line, shall constitute the fifth ward. All that portion of the city east of Genesee avenue lying between the center lines of Janes avenue and Walnut street, shall constitute the sixth ward. All that portion of the city lying west of the center line of Genesee avenue, east of the center of Saginaw river, north of the center line of Walnut street, and between the center lines of Janes avenue and Hoyt avenue extended to the center line of Saginaw river, shall constitute the seventh ward. All that part of the city east of the center line of Saginaw river, south of the center line of Hoyt avenue, west of the center line of Sheridan avenue, north of the center line of Sidney street, and lying east and north of a line commencing where the center line of Sidney street intersects the east line of lot seventeen of the James Riley reservation, thence north on said east line to the northeast corner of said lot seventeen, thence westerly on the line between lots thirteen and seventeen of said James Riley reservation to where said line intersects Mackinaw street, thence westerly on the center line of Mackinaw street to the center of Saginaw river, shall constitute the eighth ward. All that part of the city lying east of the center line of Sheridan avenue, south of the center line of Hoyt avenue, and west of a line commencing at the center of Hoyt avenue at the intersection of Emily street, thence following the center line of said Emily street southerly to the center of the main track of the Michigan Central railroad, thence west on said railroad line to the intersection of the center line of Bagley street extended, thence south on the center line of Bagley street to the center line of Holland avenue, thence east on the center line of Holland avenue to the intersection of the quarter line of section thirty, thence south on said quarter line to the city line, shall consti-

tute the ninth ward. All that part of the city lying east of the ninth ward and south of the sixth ward, shall constitute the tenth ward. All that part of the city lying east of the center of Saginaw river south of the eighth ward, west of the center line of Sheridan avenue, and north of the center line of Gallagher street and the center line of Center street extended to the middle of the Saginaw river, and east of a line drawn on Mackinaw street and Washington avenue between the intersection of Center and Gallagher streets, shall constitute the eleventh ward. All that part of the city lying east of the center line of Saginaw river and south of the eleventh ward, shall constitute the twelfth ward. The particular boundaries of the wards upon the west side of the center line of Saginaw river shall be as follows: All that part of the city lying west of the center line of the Saginaw river, north of the center line of State street, west of the Pere Marquette railroad track between the eastern terminus of State street and Davenport avenue, north of Davenport avenue between said Pere Marquette railroad track and the center of Saginaw river, shall constitute the thirteenth ward. All that portion of the city lying north and west of the center of Saginaw river, south of the thirteenth ward, east of the center line of Woodbridge street, and north and east of the center line of Brewster street extended to the middle line of Saginaw river, shall constitute the fourteenth ward. All that part of the city lying north and west of the Saginaw river, east of the center line of Woodbridge street, and between the center lines of Brewster and Madison streets extended to the center of Saginaw river, shall constitute the fifteenth ward. All that part of the city lying north and west of Saginaw river, east of the center line of Woodbridge street, and between the center lines of Madison and Adams streets extended to the center of the Saginaw river, shall constitute the sixteenth ward. All that portion of the city lying north and west of the center line of Saginaw river, east of the center line of Woodbridge street, and between the center lines of Adams and Jackson streets extended to the center of the Saginaw river, shall constitute the seventeenth ward. All that portion of the city lying within a boundary commencing at a point where the center line of Jackson street extended crosses the middle of Saginaw river, thence northwesterly along the said extended line of Jackson street to the center of Woodbridge street, thence southwesterly along the center line of Woodbridge street to the middle of Brockway street, thence northwesterly along the center line of Brockway street to the center line of Wright street, thence southerly along the center line of Wright street to the center line of Bliss street, thence westerly along the center line of Bliss street to the center line of Elm street, thence southerly along the center line of Elm street to the center line of Greenwich street, thence east along the center line of Greenwich street to the center line of Bullock street, thence

Tenth ward.

Eleventh ward.

Twelfth ward.

Thirteenth ward.

Fourteenth ward.

Fifteenth ward.

Sixteenth ward.

Seventeenth ward.

Eighteenth ward.

ington avenue to the center of Potter street, thence easterly along the center line of Potter street to the center line of Third street, thence north on the center line of Third street to the south line of the right of way and property of the Pere Marquette railroad company, thence easterly on the south line of said right of way and property of said Pere Marquette railroad company to the east city line, shall constitute the first ward. All that part of the city lying east of the center line of Saginaw river south of the first ward, west of the center line of Second street, and north of the center line of Johnson street extended to the middle of Saginaw river, shall constitute the second ward. All that portion of the city east of the center line of Saginaw river, and lying between the center lines of Johnson street, Second street, and Janes avenue extended to the middle of Saginaw river, shall constitute the third ward. All that portion of the city south of the first ward lying between the center lines of Second street, Seventh street, and Janes avenue, shall constitute the fourth ward. All that part of the city south of the first ward lying between the center lines of Seventh street and Janes avenue and the east city line, shall constitute the fifth ward. All that portion of the city east of Genesee avenue lying between the center lines of Janes avenue and Walnut street, shall constitute the sixth ward. All that portion of the city lying west of the center line of Genesee avenue, east of the center of Saginaw river, north of the center line of Walnut street, and between the center lines of Janes avenue and Hoyt avenue extended to the center line of Saginaw river, shall constitute the seventh ward. All that part of the city east of the center line of Saginaw river, south of the center line of Hoyt avenue, west of the center line of Sheridan avenue, north of the center line of Sidney street, and lying east and north of a line commencing where the center line of Sidney street intersects the east line of lot seventeen of the James Riley reservation, thence north on said east line to the northeast corner of said lot seventeen, thence westerly on the line between lots thirteen and seventeen of said James Riley reservation to where said line intersects Mackinaw street, thence westerly on the center line of Mackinaw street to the center of Saginaw river, shall constitute the eighth ward. All that part of the city lying east of the center line of Sheridan avenue, south of the center line of Hoyt avenue, and west of a line commencing at the center of Hoyt avenue at the intersection of Emily street, thence following the center line of said Emily street southerly to the center of the main track of the Michigan Central railroad, thence west on said railroad line to the intersection of the center line of Bagley street extended, thence south on the center line of Bagley street to the center line of Holland avenue, thence east on the center line of Holland avenue to the intersection of the quarter line of section thirty, thence south on said quarter line to the city line, shall consti-

tute the ninth ward. All that part of the city lying east of the
 ninth ward and south of the sixth ward, shall constitute the
 tenth ward. All that part of the city lying east of the center of
 Saginaw river south of the eighth ward, west of the center
 line of Sheridan avenue, and north of the center line of Gal-
 lagher street and the center line of Center street extended
 to the middle of the Saginaw river, and east of a line drawn
 on Mackinaw street and Washington avenue between the in-
 tersection of Center and Gallagher streets, shall constitute
 the eleventh ward. All that part of the city lying east of the
 center line of Saginaw river and south of the eleventh ward,
 shall constitute the twelfth ward. The particular boundaries
 of the wards upon the west side of the center line of Saginaw
 river shall be as follows: All that part of the city lying west
 of the center line of the Saginaw river, north of the center
 line of State street, west of the Pere Marquette railroad track
 between the eastern terminus of State street and Davenport
 avenue, north of Davenport avenue between said Pere Mar-
 quette railroad track and the center of Saginaw river, shall
 constitute the thirteenth ward. All that portion of the city
 lying north and west of the center of Saginaw river, south of
 the thirteenth ward, east of the center line of Woodbridge
 street, and north and east of the center line of Brewster street
 extended to the middle line of Saginaw river, shall consti-
 tute the fourteenth ward. All that part of the city lying
 north and west of the Saginaw river, east of the center line of
 Woodbridge street, and between the center lines of Brewster
 and Madison streets extended to the center of Saginaw river,
 shall constitute the fifteenth ward. All that part of the city
 lying north and west of Saginaw river, east of the center line
 of Woodbridge street, and between the center lines of Madi-
 son and Adams streets extended to the center of the Saginaw
 river, shall constitute the sixteenth ward. All that portion of
 the city lying north and west of the center line of Saginaw
 river, east of the center line of Woodbridge street, and be-
 tween the center lines of Adams and Jackson streets extended
 to the center of the Saginaw river, shall constitute the seven-
 teenth ward. All that portion of the city lying within a
 boundary commencing at a point where the center line of
 Jackson street extended crosses the middle of Saginaw river,
 thence northwesterly along the said extended line of Jackson
 street to the center of Woodbridge street, thence southwest-
 erly along the center line of Woodbridge street to the middle
 of Brockway street, thence northwesterly along the center
 line of Brockway street to the center line of Wright street,
 thence southerly along the center line of Wright street to the
 center line of Bliss street, thence westerly along the center
 line of Bliss street to the center line of Elm street, thence
 southerly along the center line of Elm street to the center
 line of Greenwich street, thence east along the center line of
 Greenwich street to the center line of Bullock street, thence

Tenth ward.

Eleventh
ward.

Twelfth ward.

Thirteenth
ward.Fourteenth
ward.Fifteenth
ward.Sixteenth
ward.Seventeenth
ward.Eighteenth
ward.

south along the center line of Bullock street to the center line of Lee street, thence southeasterly along the center line of Lee street extended to a point where it intersects with the south section line of section twenty-six, thence east along the section line to the center of Saginaw river, thence to the place of beginning, shall constitute the eighteenth ward. All that part of the city lying south of the center line of Greenwich street extended from the west city line to the center line of Elm street, and all south of the eighteenth ward and west of the center of Saginaw river, shall constitute the nineteenth ward. All that part of the city lying south of the thirteenth ward, west of the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth wards, and north of the nineteenth ward, shall constitute the twentieth ward.

Nineteenth ward.

Twentieth ward.

TITLE TWO.

SECTION 1. Annual city elections are hereby abolished. A biennial city election shall be held on the first Tuesday after the first Monday in November in the year nineteen hundred and two, and every second year thereafter in connection with the general State election held on the same day and be conducted by the same officers. A biennial spring election shall be held on the first Monday of April in the year nineteen hundred and three, and every second year thereafter in connection with the State judicial election held on the same day, and be conducted by the same officers. If not otherwise provided in this act, all the officers whose official terms will expire before the election and qualification of their successors under the provisions of this section, as hereby amended shall continue to hold their respective offices until their successors have been elected as herein provided and they have qualified, and the terms of all the officers elective and appointive including members of boards, unless otherwise provided, whose official terms would otherwise extend after January first, A. D. nineteen hundred and three, are hereby limited and all shall expire at midnight December thirty-first, nineteen hundred and two, or when their successors have been elected as herein provided and they have qualified: Provided however, That on the first Monday of April, A. D. nineteen hundred and two, at the expiration of the term for which the present police judge was elected, the recorder shall be and is hereby thereafter invested with the authority and shall perform the duties and receive the compensation now pertaining to the office of police judge. The aldermen who are members of the common council December thirty-first, A. D. nineteen hundred and one, shall be and are hereby declared to be members of the common council as aldermen at large during the year A. D. nineteen hundred and two, and the fact that any alderman changes his residence within the city

Election provided for.

Spring election, when and how often held.

Officers to hold over.

Proviso.

What aldermen to hold over.

or resides in a different ward from that for which he was elected, shall not vacate his said office. The following officers of the city of Saginaw shall be elected at the biennial city election held on the first Tuesday after the first Monday in November in the year nineteen hundred and two, and every second year thereafter, by the qualified electors of the whole city voting in their respective wards and election districts on a general ticket, viz., one mayor and one treasurer. Their term of office shall commence on the first day of January one thousand nine hundred and three, and of every second year thereafter: Provided, That at the same time a recorder and a justice of the peace shall be elected who shall each enter upon the duties of his office as soon thereafter as he shall file the requisite bonds and oath, and he shall hold his office until July fourth, nineteen hundred and three, or until his successor shall be elected, and shall qualify as herein-after provided. The following officers of the corporation shall be elected at said election on a ward ticket in each ward and election district by the qualified voters thereof, viz., one alderman and one constable. Their term of office shall commence on the first day of January, one thousand nine hundred and three, and of every second year thereafter. At the biennial spring election in the year nineteen hundred and three, and quadrennially thereafter, a justice of the peace shall be elected to hold office for the term of four years from and after the fourth of July succeeding his election. At the biennial spring election in the year one thousand nine hundred and three, a recorder shall be elected to hold office for the term of two years from and after July fourth, nineteen hundred and three. At the biennial spring election in the year one thousand nine hundred and five, and quadrennially thereafter, a recorder shall be elected to hold office for the term of four years from and after the fourth of July succeeding his election. At the biennial spring election in the year one thousand nine hundred and three, and every second year thereafter, the following officers of the corporation shall be elected at said election on a ward ticket in each ward by the qualified voters thereof, viz., one supervisor and one school inspector. Their term of office shall commence on the fourth day of July, one thousand nine hundred and three, and every second year thereafter: Provided, That no school inspector shall be elected within the western taxing district on such ward ticket.

What officers
to be elected
in spring, 1902.

Term of office.

Proviso.

Officers on
ward ticket.

Term of office.

Justice of
peace.

Recorder.

Officers to be
elected in
spring of 1903.

Term of office.

SEC. 3. An election shall be held in each ward and election district biennially as provided in section one of title two, at such places as the common council shall appoint, by a notice published at least six days previous to the election, in the official newspaper of the city, and by posting printed notices of the holding of said election in at least three of the most public places in each ward and election district, at least six days previous to said election.

Election
to be held
biennially.

Notice of,
how given.

Term of office of officers elected in spring.	<p>SEC. 4. The following shall be the term of office of the several officers elected at the biennial spring elections provided for in section one, title two, who shall in all cases hold office until their successor is elected and qualified, viz., mayor, two years; treasurer, two years; recorder, two years; prior to July fourth, one thousand nine hundred and five, and thereafter four years; justice of the peace, four years; aldermen, school inspectors, supervisors, and constables, two years.</p>
Common council to appoint certain officers.	<p>SEC. 5. The common council shall at the first regular meeting in the month of January A. D., one thousand nine hundred and three, or as soon as may be thereafter, appoint by ballot one city assessor, one city attorney, one city physician, one controller, one city clerk, one director of the poor, and appoint all members of the board of public works, board of police commissioners, board of assessment and review, and board of estimates as provided in this act. And as vacancies occur, fill the same by like appointment of persons who shall hold office as follows, viz., city clerk, city controller, city assessor, city attorney, director of the poor, and city physician, each for two years, their terms of office to commence in January A. D. nineteen hundred and three, and every second year thereafter: Provided, The members of said several boards shall be appointed for the period stated in the other titles of this charter. All the officers appointed under this section shall enter upon their duties as soon as appointed and qualified: Provided further, That the terms of all city officers heretofore or hereafter elected by the common council or nominated or appointed by the mayor or confirmed by the council prior to January first, nineteen hundred and three, shall expire at midnight December thirty-first, nineteen hundred and two, or when their successors are elected and have qualified as are herein provided. The assessor and controller may each appoint a deputy for whose acts they shall respectively be responsible, and who shall have power to perform the duties of said officers respectively in case of the death, absence, or disability of either of said officers. The common council may also appoint one factory inspector, one keeper of the work house, alms house, or hospital, one inspector of gas or gas meters, clerk of city markets or for city offices, inspectors of fire wood, hay or provisions, poundmasters, sealers of weights and measures, weighmasters, harbor masters, fire wardens, scavengers, and such other officers or boards of officers as are herein provided for, or the common council may deem necessary, or as may be created by law or by the ordinances of said city made pursuant to the provisions of this charter; and such appointments shall be made in such manner as the common council shall authorize and direct, and all such appointees shall hold their office during the pleasure of the common council.</p>
Vacancies, how filled.	
Term of office.	
Proviso.	
Provided further.	
Who to appoint deputy.	
Other officers common council to appoint.	

SEC. 8. On the third Saturday preceding the biennial general election held in November, and the third Saturday preceding the biennial general spring election held in April in said city, a registration shall be made in each ward and election district in the manner hereinafter provided in sections twelve, thirteen, fourteen and fifteen of title seventeen of this charter, of all the qualified electors resident therein not already registered. On the day of election, held by virtue of this act, the polls shall be open in each ward and election district thereof, at the several places designated by the common council, at seven o'clock in the morning, and shall be kept open, without intermission or adjournment, until five o'clock in the afternoon, at which hour they shall be finally closed: Provided, That it is hereby made the duty of the city clerk, prior to January first, nineteen hundred and two, to procure suitable registration records for each of the twenty wards hereinbefore designated. It is also made his duty prior to the said first day of January, A. D. nineteen hundred two, to transcribe the names and addresses of every voter appearing on the registration books of any of the fifteen wards as now constituted, into the registration records of the twenty wards created by this act, writing such name in the records of the ward within which his registered address brings him.

Registration,
when held.

Place and
time of open-
ing polls.

Proviso.

SEC. 10. There shall be a board of inspectors of election in each ward or in case of the division of any ward into election districts, then in each of said districts, said board shall be composed of four members, to consist of a supervisor and alderman, when eligible, and not prevented for any reason from serving, and citizens of said ward to be selected in the manner herein provided, and no more than two of said election inspectors shall belong to the same political party. At least one week prior to any municipal, general, or special election, the common council shall designate such a number of citizens of each ward, as shall, together with a supervisor and alderman, who are eligible and intend to serve, constitute four inspectors for each district or each ward not divided into districts. At the hour for opening the polls at any such election, the electors of the district or ward present at any polling precinct, shall in the absence of any of the said inspectors herein provided for, choose viva voce, such number of electors of such ward or district to serve as inspectors, as shall with the said inspectors, appointed by the common council, supervisors, and aldermen present, constitute such board of four inspectors, who shall be the inspectors of election for that district or ward during that election. An alderman, if present, shall act as chairman of said board, but if not present the board shall select one of their own number as chairman. Said board shall also choose one of their own number to act as clerk and shall appoint one other elector

Who board
of inspectors
to consist of
and number.

Common
council to
designate.

Proceedings
when in-
spectors
absent.

Alderman
to act as
chairman.

Board to
choose clerk.

Proviso.	as second clerk of said board: And provided also, That said clerks shall both not be members of the same political party. Each of said persons so appointed as inspectors of election and clerk shall take the constitutional oath of office; each member of said board shall be authorized to administer such oath or any oath required to be taken by any person at said election. In case of the inability of any of said inspectors to serve during the time of said election, the vacancy on said board may be filled by viva voce vote of the members of said board present. Said inspectors and clerks of election shall receive such compensation for their services as shall be fixed by the common council prior to said election.
Compensation.	
When term of office to be designated on ballot.	SEC. 13. If at any biennial election to be held in the said city there shall be one or more vacancies to be supplied in an office, and at the same time any person is to be elected for the full term of said office, the term for which each person is voted for, for the said office, shall be designated on the ballot.
When common council to certify as to officers elected.	SEC. 17. The common council shall convene on the Wednesday next succeeding such election, at two o'clock in the afternoon, at their usual place of meeting, and the statements of votes filed with the clerk of the city by the inspectors of election shall be produced by said clerk, when the common council shall forthwith determine and certify, in the manner provided by law, what persons are duly elected at the said election to the several offices respectively. Such certificate shall be made in duplicate, one of which shall be filed with the clerk of the city, and the other with the clerk of the county of Saginaw.
Certificate, where filed.	
Officers, how notified of election.	SEC. 18. It shall be the duty of the clerk of said city as soon as practicable, and within two days after the meeting of the common council, as provided in the preceding section, to notify the officers, respectively, of their election; and the said officers so elected and notified as aforesaid, shall, before they enter on the duties of their respective offices and prior to the commencement of the term for which they were elected, take the oath of office, prescribed by the constitution of this State, before some other officer authorized by law to administer oaths, and file the same with the clerk of the city, and the justice of the peace and recorder shall also file their oath of office with the county clerk.
To take oath.	
Where filed.	
Vacancies of alderman or mayor, how filled.	SEC. 19. Whenever a vacancy occurs in the office of mayor or alderman, by his refusal or neglect to take the oath of office, prior to the commencement of his term, by his resignation, death, ceasing to be an inhabitant of the city or ward for which he shall have been elected, except as hereinbefore provided, removal from office, or by the decision of a competent tribunal declaring void his election, or for any other cause, the common council of said city shall immediately appoint a special election to be held in the several wards of the city, or the ward for which such officer was chosen, at suitable places therein, not less than five days nor more than

fifteen days from the time of such appointment: Provided, That in case any such vacancy shall occur in the said office of mayor or alderman within three months before the biennial general election of any year, it shall be optional with the common council to order a special election or not, as they shall deem expedient: And provided further, That any such vacancy occurring prior to the biennial election in November A. D., nineteen hundred and two, shall not be filled. Further proviso.

SEC. 20. In case a vacancy shall occur in any of the offices in this act declared to be elective, except mayor, alderman, justice of the peace, and recorder, the common council may, upon the nomination of the mayor, fill such vacancy by the appointment by a suitable person, who is a citizen, and if appointed for a ward, who is also a resident of the ward for which he shall be appointed, and any officer appointed to fill a vacancy, if the office is elective, shall hold by virtue of such appointment, only until the tenth day after the election next succeeding. If an elective office which shall have become vacant, is of that class whose terms of office continue after the next biennial election, a successor for the unexpired term shall be elected at the next biennial election. Vacancy in an elective office, how filled.

SEC. 21. Whenever a special election is to be held, under the provisions of law, or by order of the common council, the city clerk shall cause to be delivered, to the inspectors of election, in the ward or wards where such officer is to be voted for, a notice to be signed by him, specifying the officer to be elected, and the day and place at which such election is to be held and the proceedings at such election shall be the same as at the biennial elections; such notice shall also be published in the official newspaper of the city, at least once, and posted in five public places in the city or ward, as the case may be, before the day of such special election. Duties of clerk in regard to special election.

TITLE THREE.

SEC. 2. The mayor shall preside at the meetings of the common council but shall not vote or cast a ballot at said meetings excepting when a tie exists or an equal number of ballots have been cast for and against any question, in which case his vote shall be recorded or ballot deposited as a member of said body, and it shall be the duty of the common council on the second Monday in January in each year to elect one of their number president, who shall preside at the meetings of the common council in absence of the mayor. The member elected president shall be acting mayor in case of the absence from the city, or on account of the inability of the mayor to act, but shall vote upon all questions as an alderman: When mayor may vote at council. Provided, That in the absence of the mayor and president, the common council shall appoint one of their number, who shall preside. When president to be acting mayor. Proviso.

Who entitled
to vote.

SEC. 4. In all proceedings and meetings of the common council, each member present, excepting the mayor as provided in section two of this title shall have one vote.

Newspaper
notices, how
published.

SEC. 11. Whenever the common council are required by law to make publication of any notices or ordinances, in one or more newspapers of said city, it shall be deemed sufficient to publish the same in the official paper of said city.

TITLE FOUR.

Duties of
mayor.

SECTION 1. It shall be the duty of the mayor to take care that the laws of the State, and the ordinances of the common council be faithfully executed, to exercise a constant supervision and control over the conduct of all subordinate officers, and to receive and examine into all complaints against them for neglect of duty, to recommend to the common council such measures as he shall deem expedient, to expedite such as shall be resolved by them, and in general to maintain the peace and good order and advance the prosperity of the city.

To be ex-officio
member of
boards.

The mayor shall be an ex-officio member of all the boards of the city of Saginaw, except the school boards, and it shall be his duty to attend all the meetings of said boards, and he shall have a right to speak on any and all matters that come before said boards, but he shall have no vote. The mayor may also issue process and hear in a summary way, any complaint against any person to whom a license of any description has been granted, in pursuance of this act, for any violation of the laws of the State or the ordinances of the common council, and may issue subpoenas, and compel the attendance of witnesses on the hearing of such complaint, in the same manner as justice of the peace in the trial of civil causes, and on such hearing may annul such license, or suspend it for a certain time. Every determination on such complaint shall be forthwith filed with the clerk of the city, who shall serve a certified copy thereof on the person holding a license affected by such determination, either personally or by leaving the same at his or her usual place of abode, and from the time of such service such license shall be annulled or suspended, according to the tenor of such determination.

Duties
as regards
licenses.

Duties of
treasurer.

SEC. 8. For the collection of all State and county taxes the city treasurer shall be entitled to add to all such taxes collected by him, the same interest, collection fees and charges as are now or hereafter may be provided by the general tax laws of the State for interest, collection fees and charges on township tax rolls when collected by the township treasurers of this State: Provided however, That all such collection fees and charges which are now, or hereafter may be, by the general tax laws of the State, payable to the township treasurer to his own use, shall, when collected by said city treasurer, be by him paid into the sinking fund of

Proviso.

said city, for the use of said city. The common council shall have power to prescribe the percentage to be added to all tax rolls not herein otherwise provided for, and to direct to what fund it shall be credited, and may direct the treasurer as to the deposit and safe keeping of all books and papers in his office, and may require of him bonds, with some reliable and satisfactory fidelity or surety company, or other satisfactory parties, as surety or sureties, in such amounts as the common council may determine, for the faithful performance of his duties as treasurer. The common council shall also have power at any time during the term of office of said treasurer, when they may deem the existing bond furnished by said treasurer insufficient from any cause, to require the said treasurer to procure and execute a new or additional satisfactory bond to the city in such sum as they may direct, and in default of his furnishing the same within ten days after service on him of a copy of the resolution of the common council requiring it, the common council may declare such office vacant, and proceed to fill the same as hereinbefore provided. The treasurer shall receive an annual salary of twenty-eight hundred dollars, and all collection fees and perquisites prescribed by law shall be collected by said city treasurer and his deputy, and paid into the sinking fund of said city for the use and benefit of said city. The deputy city treasurer shall receive an annual salary of twelve hundred dollars, which shall be paid in the same manner as other city officials are paid. The city treasurer shall, subject to the approval of the common council, employ the necessary clerks in said office, and their salaries or compensation shall be fixed and paid by the common council.

Common council may prescribe certain duties, etc.

May require new or additional bond.

Salary of treasurer.

Salary of deputy.

To employ certain clerks.

SEC. 12. The supervisors of the several wards of said city shall be members of the board of supervisors of Saginaw county, and shall perform all the duties of supervisors of townships, except as herein otherwise provided, and except as to such duties as are herein especially devolved upon other officers of said city, and shall be entitled to the same compensation as township supervisors, and to such additional compensation as is hereinbefore provided. The assessor, controller, city attorney, and president of the board of assessment and review, shall be members of the board of supervisors of Saginaw county, and represent the interests of this corporation in said board, and as such supervisors, shall be entitled to receive the same compensation as other supervisors, for attendance upon said board: Provided also, That the recorder and the five members of the board of assessment and review prior to July fourth, A. D. nineteen hundred and three, but not thereafter, shall be members of said board of supervisors.

Duties of supervisors

Compensation.

Certain officers to be members of board.

Proviso.

SEC. 15. On or before the third Monday of January in each year, the board of public works, the board of police commissioners and the committee on fire department of the common council, shall recommend to the common council the salary

Certain boards to recommend salaries to be paid officers, etc.

Common council to fix salary of certain officers.	to be paid to the several officers and employees of said respective boards and department for the ensuing year, and each of said boards and the committee on fire department shall also at the same time submit to the common council an estimate of the amount of money which, in their opinion, will be required to meet the expenses of their respective departments for the ensuing fiscal year. And the common council shall annually, at their first regular meeting in the month of February, or as soon thereafter as may be, determine or fix the salary or compensation to be paid to the several officers of said city. Said common council shall not increase the salaries of any of the officers recommended by any of the boards, but may decrease said salaries, and they may also from time to time establish fees and compensation of all officers appointed by them, whose fees or salary are not prescribed by law, and whose compensation for services is required to be paid out of the city treasury.
Power of, regarding salaries.	
Duty of officer on resignation.	SEC. 16. Whenever any officer shall resign or be removed from office, or the term for which he shall have been elected or appointed shall expire or be limited by this act, he shall on demand, deliver over to his successor in office all the books, papers, moneys, and effects of said corporation in his possession or custody as such officer, and in any way appertaining to his office; and every person violating this provision shall be deemed guilty of a misdemeanor, and may be proceeded against in the same manner as public officers generally, for the like offense, under the general laws of this State, now or hereafter in force, or applicable thereto; and every officer appointed or elected under this act, shall be deemed an officer within the meaning and provisions of such general laws of this State.
Penalty for violation.	

TITLE FIVE.

Board of review, how appointed and of whom to consist.	SEC. 6. The common council shall appoint five qualified electors and taxpayers of said city, not more than three of whom shall be members of the same political party, one for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, one for the term of five years, and annually thereafter appoint one such elector for the term of five years, who shall constitute the board of review of said city, and shall be entitled to such compensation for their services as members thereof as the common council may fix. The said board shall meet at the office of the city assessor on the last Monday of April in each year, at nine o'clock in the forenoon, and organize by electing one of their members president, and the assessor shall act as clerk of said board. The clerk of the city shall give notice of the time and place when and where said board of review will meet, and the length of time the same will remain in session for the review and correction of such assess-
Meeting, when held.	
Notice, how given.	

ment roll, by publication thereof in the official newspaper of the city, and by posting printed copies of the same in at least twenty public places in each ward of the city at least ten days prior to the time fixed for the commencement of its session. Said board shall thereupon proceed to fully review the annual assessment of the taxable property, real and personal of said city, made by the assessor and by him to be submitted to said board. The board shall have power and it shall be their duty to so alter, amend and correct said assessment of the persons and property on said roll as to equalize the same. They shall have the power to add to said assessment roll any person or property which may have been omitted therefrom, and to strike from said roll any property or person not subject to taxation: *Provided*, That no assessment shall be increased, nor person or property added to said roll, except upon notice to the person to be affected thereby, served in the case of a resident of the city personally, or by leaving the same at his usual place of abode twenty-four hours before any action is taken by the board in respect to such assessment, and in the case of a non-resident, by one publication in any daily newspaper published in said city. Said board shall keep a record of their proceedings, and no assessment shall be made or changed, except by a majority vote of said board, taken by ayes and nays, and entered at large upon the record.

Powers and
duties of.

Proviso.

SEC. 10. Before the controller delivers said tax roll to the treasurer, a warrant shall be issued and annexed to each of said books (tax roll), signed by the controller under the corporate seal of said city directed to the treasurer, commanding and authorizing him to collect from the persons named in each of said books (said tax roll) the taxes and assessments therein set forth, due from such person and unpaid on the first Monday of November next, together with interest at the rate of one per cent. per month, from and after the first day of the preceding August, for the benefit of the said city, together with such collection fee as the common council may by resolution or ordinance prescribe, not exceeding three per cent., and for such purpose, if necessary, to levy upon and sell the personal property of any person or persons named in said roll, refusing or neglecting to pay the same, wherever such personal property may be found within the limits of the county of Saginaw, which warrant shall be returnable on the first day of March next ensuing: *Provided*, That if at any time after the first day of July, and before the first day of November next ensuing, the city treasurer shall become apprehensive of the loss of any personal tax on said roll, if the collection thereof be delayed until the first Monday in November, he may proceed to enforce its collection at any time, by distress and sale of the property of the person against whom such tax is assessed, or he may bring suit for collection of such tax, and if compelled to seize property or bring suit, he may add to such tax two and one-half per cent. for collection fees.

Warrant to be
attached to
tax roll.

Proviso.

TITLE SIX.

Cost of improvement when paid by property benefited. SEC. 5. The common council may determine that the whole or any part of the expense, including cost of estimates, plans, surveys, assessments, and other expenses incidental thereto of any public improvement, shall be defrayed by an assessment on the lands to be benefited thereby, except where the improvement is made by paving or repaving between the street car tracks, or railroad tracks, and between the double tracks, curves and switches, and the paving required to be done by the street car companies or railroad companies on the outside of their tracks, the width provided for in their ordinances, the cost of which shall be assessed against said street car companies or railroad companies as a personal tax, and be placed in the special tax roll the same as when any other special improvement is made. And the common council shall, either before or after the completion of such improvement, declare by resolution whether the whole or what portion of the cost of such improvement shall be assessed to such lands, except that portion to be paid for by said street car companies or railroad companies as above provided: **Provided** however, That the assessments which may be levied upon any block or parcel of real estate shall not exceed the benefit which it is especially deemed to have received by such improvement: **Provided** further, That the common council in case they are not able to agree with any railway company as to suitable compensation to be paid in the premises by the latter, may assess against any such railway company permitted to lay its tracks, or to operate its cars upon any bridge or viaduct heretofore or hereafter constructed by the city, or which without permission does so, such proportion of the total cost and expenses relating to the construction, and to repair from time to time, and to the care and maintenance thereof, as such railway company shall, by the common council, be deemed to be especially benefited thereby, not exceeding the benefits so determined, and the same may be placed in a special assessment roll of the city and enforced against such railway company as a personal tax for the benefit of the city, in the same manner as other special assessments for public improvements in the city are made and enforced, or the city may sue for and recover the same, in addition to the other obligations, taxes and assessments to which such railway company may be subject under the charter and ordinances of said city and the laws of this State: **Provided**, however, That the provisions of this section, in so far as they confer any power on said city not already possessed by it, shall not apply to the use, by the Saginaw Valley Traction Company, its successors or assigns, of the bridges now or hereafter constructed across the Saginaw river at Genesee avenue and at Mackinaw street in said city; and that the terms and conditions under which said Saginaw Valley Traction Company,

Council to determine portion to be paid.

Proviso.

Further proviso.

Proviso as to certain companies.

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TITLE SEVEN.

Fire committee, how appointed.

Duties and powers.

SEC. 3. There shall be a committee of three members of the common council, appointed by the mayor, to be known as the committee on fire department, who together with the chief of the fire department, shall have the direct and immediate control and management of the fire department of the city of Saginaw, and of the property and apparatus belonging thereto. Said committee shall have charge of the erecting, altering, and repairing all engine houses and fire stations and sidewalks, platforms and bridges adjacent thereto, when said work has been first duly authorized by the common council. Said committee, together with the city controller, shall be empowered to make necessary purchase of horses, and make all necessary repairs to apparatus, to an amount not exceeding the amount appropriated and collected for the several purposes. Said committee shall have stated meetings at such times as the common council may prescribe by ordinance. Upon the recommendation of the chief of the fire department said committee shall also have the power of appointing all firemen and members of the fire department, except the chief, who shall be retained as such, while they shall continue competent and efficient in the performance of their respective duties. Said committee shall have full power to try and determine all complaints against any member of said department, and to remove them, or any of them, summarily, or on conviction of insubordination, neglect of duty, incompetency, or violation of any of the rules, regulations or ordinances governing said department. Said committee shall also have the power, upon the recommendation of the chief of the fire department, to make such changes in the positions held by any member of the department, either to promote him or place him in a subordinate position, as they may deem for the best interests of the department.

TITLE ELEVEN.

Who to constitute board of police commissioners.

When new board appointed.

Terms of office.

SECTION 1. The following members of the present board of police commissioners, Christian Reitter, William Seyffardt, John Deibel, and Benjamin W. Gubtil, shall constitute the board of police commissioners until their successors are elected and qualified as hereinafter provided. The common council during January A. D. nineteen hundred and three, upon the nomination by the mayor, shall appoint five suitable persons, citizens of said city, no more than three of whom shall belong to the same political party, who shall constitute the board of police commissioners for the city of Saginaw. They shall be appointed one for the term of one year, one two years, one three years, one four years, and one for five years; the common council, upon the nomination by the mayor there-

after, shall annually appoint one commissioner to hold for the term of five years. Said board or a majority of them, shall have full power to try and determine all complaints against the marshal or any policeman or watchman of the city, and to remove them or any of them summarily, or on conviction for insubordination, neglect of duty or violation of any of the ordinances or rules and regulations, or violations of any law of the city or State made, or hereafter to be made, for the government of the police department of the city of Saginaw. The city clerk shall be clerk of said board and shall keep its record, and shall cause the proceedings of said board to be published in the official paper of said city within five days after each session: Provided however, That no part of said proceedings, relating to the detective work of said department need be published. Said commissioners shall receive no compensation, and they may be removed for the same causes, and upon the same proceedings as a member of the common council. In case any vacancy occurs, the common council shall appoint, upon the nomination of the mayor, some person to fill the unexpired portion of the term.

Powers and duties.

City clerk to be clerk of board.

Proviso.

TITLE TWELVE.

SECTION 1. There shall be created and constituted a board of public works in and for the city of Saginaw, composed of three members, who shall be citizens and residents of the city of Saginaw, no more than two of whom shall reside in any one taxing district or belong to the same political party: Provided, That until the appointment and confirmation of said board as herein provided, said board shall consist of only five members selecting from the present board of public works, those whose terms last expire, namely, John W. Symons, Arthur Barnard, Thomas Nickels, Arnold Boutell, and Phillip H. Aurentz who shall hold their office until their successors have been elected by the common council in January A. D. nineteen hundred and three; said successors to be elected one for the term of one year; one for the term of two years; and one for the term of three years; from the date of their appointment, and the council shall elect annually, thereafter, a member of said board for a period of three years. The members elected under this act shall, within ten days after their election, or such further time as the common council may fix, meet and organize such board of public works by the election of one of its members president, and the common council shall at all times provide said board with suitable office room for its meetings and business, and supply record books, stationery and other things necessary for the transaction of public business under the charge of said board; and provide for the payment, in like manner as other accounts against the city, of all necessary and lawful accounts in-

Board of public-works, how constituted.

Proviso as to present board.

Term of office of successors.

Who to provide office, etc.

Meetings,
when held.

Compensa-
tion.

To have super-
vision over
public build-
ings, etc.

Proviso.

Board of
public works
to make cer-
tain appoint-
ments.

Duties of city
engineer.

curred by said board. Said board shall have one regular meeting each week, and such special meetings as may be necessary, and each member shall have one vote; a majority of said board shall be a quorum for the transaction of business. Each member of said board shall be allowed as compensation for his services three dollars for actual attendance at each regular meeting of said board, to be certified by the clerk to the controller quarter-yearly, and paid out of the general fund.

SEC. 2. Said board of public works shall (after the said public improvements have been first duly ordered by the common council) have supervision and charge of the construction and repair of all sidewalks, crosswalks, culverts, bridges, docks, fountains and reservoirs; the construction and repair and extension of all main and lateral sewers and drains; the erection, alterations and repair of all police stations, city halls and other public buildings of every description in said city, except school houses and fire stations and engine houses: Provided however, That repairs on said buildings, not exceeding in cost the sum of twenty-five dollars, may be made by the controller; the deepening and cleaning of ditches and gutters, the cleaning, repairing, grading, paving, repaving, planking, graveling or covering with other material of all streets and alleys; the laying out and improvement of all parks, cemeteries and grounds, and examine and consider all matters relative to supplying the city of Saginaw with a sufficient quantity of pure and wholesome water for the use and convenience of all the inhabitants of said city, to be obtained from the Saginaw river, the Tittabawassee river, the Shiawassee river, or such other place or source of supply as may be deemed expedient, and as may be approved by the common council, and to plan, manage and construct such water works so as to provide for an ample supply to protect said city against fire and for other public or sanitary purposes, as the best interests of said city and its inhabitants may seem to require, and perform such other duties in the superintendence, construction and care of public works and improvements, as the common council may from time to time direct.

SEC. 11. The said board of public works shall have power to appoint a city engineer and a superintendent of public works, and said board shall also appoint engineers and firemen at the water works, hydrant men and a bookkeeper, all of said appointees to hold office during the pleasure of the board. The city engineer shall make all surveys for the laying out, constructing, altering, repairing and improving of streets, sewers, water mains, parks, cemeteries, public grounds and buildings, and prepare all necessary plans, diagrams, profiles and specifications thereof, and do the civil engineering work of every description, as required by the common council or the board of public works, and he shall have per-

sonal supervision, under the direction of the board of public works, of the construction of public buildings, grading, paving, repaving, sewers, bridges and such other public work as the board of public works may require. Said engineer shall have authority to employ, subject to the approval of the board of public works, such assistants under him as are required for the prompt and proper performance of his duties, and said board may discharge such assistants. The superintendent of public works shall have personal supervision, under the direction of the board of public works, of the repair of public buildings, cleaning and caring for public streets, alleys and grounds, the construction and repairing of sidewalks and crosswalks, cleaning and deepening of ditches and gutters, and shall have general supervision of the water works system of the city of Saginaw, and shall perform such other duties as required by the board of public works. Said board of public works shall also have authority to employ all other subordinates as may be necessary to enable the board of public works to properly perform the duties devolving upon it. Said board of public works shall recommend annually, but the common council shall have the authority to fix the compensation of the engineer and firemen of the water works, hydrant men, bookkeeper, superintendent of public works, city engineer, and all other appointees of said board, except as herein provided: And provided further, That the salaries paid at the time of the passage of this act shall continue until December thirty-first, A. D. nineteen hundred and two. Said board shall fix the compensation paid to persons employed by the day and all claims for the same shall, whenever certified by the board of public works, be submitted to the common council for allowance and payment, in the same manner as other claims against the city.

May employ assistants.

Duties of superintendent of public works.

Board to employ subordinates.

Council to fix compensation of certain employees.

Proviso.

TITLE FOURTEEN.

SECTION 1. From and after the first Monday in April, A. D. nineteen hundred and two, being the date of the expiration of the term for which the present police judge was elected, the recorder shall have the authority and perform all duties connected with the office of police judge as authorized by the charter of the city of Saginaw, and shall hold a police court in said city at the city hall, to be styled the police court; said court, however, shall not be a court of record. Said recorder as police judge shall have power and authority to take complaints, issue any process necessary in said court, to be signed by said judge; and the court shall have the same power to punish contempt and preserve order, to compel the attendance of witnesses, parties and jurors, and to determine as to the qualification of jurors, as a circuit court and the judge thereof, and such further powers incident to a cir-

When recorder to have authority of police judge.

Power and duties of.

Compensation.	<p>cuit court and the judge thereof, as may be convenient in the exercise of the jurisdiction and powers herein conferred upon him as such court. He shall also have all the powers and authority of a justice of the peace in the trial of civil cases. In every criminal trial in said court by a jury, the city or the people, as the case may be, shall be entitled to but two peremptory challenges. After the expiration of the term of the present police judge, the recorder acting as police judge, shall have and exercise the same jurisdiction and powers in all civil suits and proceedings, and perform the same duties in all respects, so far as occasion may require, as are or may be conferred upon or required of justices of the peace by the general laws of this State, and such further powers as are conferred by this act, and shall have jurisdiction in all civil cases cognizable by justices of the peace where the plaintiffs, or any of them, or the defendants, or any of them, reside in the county of Saginaw, and shall have exclusive jurisdiction over any cause or proceeding cognizable by a justice of the peace where both parties to the same, reside in the city of Saginaw at the time of the commencement of the proceedings or cause. The police judge and clerk shall receive no fees or perquisites for their services as such performed under this act, but in lieu thereof the recorder acting as police judge exclusive of recorder's fees, shall receive an annual salary of twelve hundred dollars, for services actually performed, which shall be paid by the city of Saginaw monthly. The clerk of said police court shall receive an annual salary, to be paid by the said city, in the manner herein provided for the payment of the salary of the recorder acting as police judge, of not to exceed eight hundred dollars. Neither the chief of police nor any member of the police force of said city, shall receive for his own use any fees for services performed under this act.</p>
Salary of clerk of police court.	
Who to be assistant police judge.	<p>SEC. 8. The justice of the peace of said city shall be assistant police judge, and shall exercise the power, authority and jurisdiction conferred upon said police judge in case of the absence, inability or disability of the recorder to perform the duties of police judge, and in case of vacancy in the office of recorder, said assistant police judge shall have power to and shall perform the duties of police judge until such vacancy shall be filled. During the absence, inability or disability of the recorder to perform the duties of the office of police judge, he shall receive no salary.</p>
When recorder to receive no compensation.	
When and how police clerk nominated.	<p>SEC. 12. The recorder and justice of the peace, in January nineteen hundred and three and every two years thereafter, shall at a regular meeting of the common council, nominate a clerk of the police court, to be elected by the common council, and he shall be a resident and citizen of said city. Before entering upon the duties of his office, said judge shall take and subscribe and file in duplicate, with the clerk of said city and with the clerk of the county of Saginaw respectively, the</p>
Judge to subscribe oath.	

constitutional oath of office. He shall be a resident and citizen of said city.

SEC. 14. Before entering upon the duties of his office, the clerk of the police court shall take, subscribe and file with the clerk of said city the constitutional oath of office, and give a bond to the city of Saginaw, and a bond to the treasurer of the county of Saginaw, each in the sum of two thousand dollars, with sufficient sureties to be approved by the common council of said city, and by the treasurer of said county respectively, conditioned for the faithful discharge of the duties of his office, and to account for and pay over to the proper treasurers, in the manner and at the times hereinafter provided, all moneys which shall come into his hands by virtue of his said office. The bond to the city shall be filed with the city clerk, and the bond to the treasurer of said county, shall be filed with said treasurer. If for any cause a vacancy shall occur in the office of recorder, the common council of said city may order a special election to be held for the election of a recorder for the remainder of the term of said judge, which said election, if ordered, shall be conducted in the same manner as the biennial city elections, and the same notice thereof given as is required by law to be given for the biennial city elections.

Clerk of police court to subscribe oath and give bond.

Bond, where filed.

Vacancy in office of recorder, how filled.

SEC. 16. Said recorder or the police clerk may be suspended from his office and removed therefrom in the same manner and form as provided by law for the suspension and removal of justices of the peace.

May be removed.

TITLE FIFTEEN.

SECTION 1. There shall be but one justice of the peace in and for the city of Saginaw. The said justice shall have and exercise the same jurisdiction and powers in civil and criminal cases and proceedings, and shall perform the same duties as may be conferred upon or required of justices of the peace by the laws of this State, except as otherwise provided in this act. He shall have such further jurisdiction or powers as are conferred by this act, and in the absence or inability of the recorder acting as police judge, said justice of the peace shall hear and determine all cases pending before said police judge, and shall have the same power to issue process and hear and determine cases as said police judge. If, for any cause, a vacancy shall occur in the office of said justice, the common council of said city may order a special election to be held for the election of a justice of said court for the remainder of the term of said justice, which said election if ordered, shall be conducted in the same manner as the biennial city elections, and the same notice thereof shall be given as for the biennial city elections.

Justice. Jurisdiction and powers.

Further jurisdiction.

Vacancy, how filled.

Jurisdiction of
civil cases.

SEC. 2. Said justice of the peace and recorder as police judge shall each have jurisdiction in all civil cases cognizable by a justice of the peace where the plaintiffs, or any of them, or the defendants, or any of them, reside in the county of Saginaw, and in such cases shall have exclusive jurisdiction over any cause or proceedings where both parties to the same, reside in the city of Saginaw at the time of the commencement of the proceedings or cause. No justice of the peace of any township in the county of Saginaw shall have jurisdiction over any civil cause or proceedings where both parties to the proceedings reside in the city of Saginaw at the time of the commencement of said proceedings or cause.

Jurisdiction
of township
justices.

Salary of
justice.

SEC. 6. Said justice of the peace shall be entitled to receive from the treasurer of the city of Saginaw an annual salary of twelve hundred dollars, payable monthly, on the certificate of the controller, but no such certificate shall be granted by said controller until the justice asking for the same has made and filed with him his affidavit, setting forth the number of days he has been in actual attendance at his court room ready for business, during the period for which the certificate is intended to cover, and for such time thus spent in attendance to business only, shall he be allowed in said certificate. The recorder acting as police judge and the justice shall each have his court room open and he shall be in attendance to the duties of his office therein from nine o'clock in the morning until twelve o'clock noon, and from half-past one o'clock until five o'clock in the afternoon, except on Sundays and legal holidays.

Court, when
held.

TITLE SEVENTEEN.

How wards
may be
divided into
election
districts.

SEC. 12. Each ward shall be an election district by itself, but it shall be lawful for the common council, in its discretion, at any time after January first, A. D. nineteen hundred three, preceding any general or municipal election, to divide the several wards of the city, or either of them, in the manner now or hereafter provided by the general statutes of the State, into convenient election districts, for holding elections, and in case of such division, the provision of the general laws of this State, now or hereafter in force, so far as applicable, and of this act, relating to elections shall be applicable to such election districts. The board of registration in each ward and election district shall consist of two persons who are not both members of the same political party, to be constituted as hereinafter provided. The common council shall at least thirty days prior to any general or municipal election, appoint such a number of the electors of each ward to act with the aldermen, if any, who are eligible and intend to serve, as shall constitute a board of two in each election district, and in each ward which is not divided into election

Board of
registration,
of whom to
consist.

How consti-
tuted.

districts. At the hour appointed for said board of registration to meet, the electors of any ward or election district present at the place of registration may elect, viva voce, an elector of said ward to fill any vacancy on said board, caused by the absence of any member of said board: *Provided always,* That the members shall belong to different political parties. Every elector shall vote in the ward and district in which he resides, except that an inspector of election in any district may vote in any district where he is acting as inspector.

vacancy, how filled.

Provido.

SEC. 13. The common council of said city shall cause a session of the board of registration of each ward or election district of said city to be held on the first Monday in October, in the year nineteen hundred and four, and on the first Monday in October in every fourth year thereafter, for the purpose of making a re-registration of the qualified electors of each ward or election district in said city, and for such purpose, the alderman of each ward and an elector, or electors thereof to be appointed, as provided by the preceding section, shall constitute the board of registration of such ward, and in case any of the wards shall be divided into election districts, the common council may appoint the necessary number of electors of said ward to act as a board of registration for any election district which would otherwise be without such board. Said board shall cause a like notice of such meeting and registration, and of the time and place of holding the same, to be published and printed in like manner, and for the same period as is required by section two of act number one hundred seventy-seven of the session laws of eighteen hundred fifty-nine, entitled, "An act further to preserve the purity of elections and guard against the abuses of the elective franchise by a registration of electors," approved February fourteenth, eighteen hundred and fifty-nine, being paragraph eighty-five of Howell's annotated statutes and the acts amendatory thereof. The said several ward or district boards shall be in session on the first Monday in October as aforesaid, and as may be determined by the common council for not less than two, nor more than five of the next succeeding days thereafter, from nine o'clock in the morning to one o'clock in the afternoon, and from four o'clock to eight o'clock in the afternoon, and shall be provided with suitable records for registering the names of voters, and shall have the same powers and perform the same duties as are conferred upon or required of boards of registration under the act aforesaid, and the same rules and requirements shall be observed in such registration, in all respects, as were required in the original registration under said act, except however, as said powers, duties, rules and requirements are changed by this act. When such registration shall be completed, the former registry of electors in such ward or district shall henceforth be deemed invalid and shall not be used at the ensuing elec-

When to meet and for what purpose.

Notice of, how given.

When to be in session.

To be provided with records.

When registry completed.

Voters re-
quired to
re-register.

Notice to be
given board
of special
elections.

To review and
complete list.

Notice, how
given.

Action of
board, how
governed.

Vacancy, how
filled.

Council to
designate
official paper.

Proviso as to
compensation
for printing.

tions. No person shall vote at any public election in such wards or districts, and after such re-registration whose name shall not be registered anew under the provisions of this section, or be afterwards properly entered on such new register according to the provisions of the act aforesaid or of this act.

SEC. 17. When the common council shall order a special election to be held in any of the wards of said city for the election of ward officers, said council, by resolution, shall direct the city clerk to notify the board of registration that last held its session in said ward, to review and complete the list of qualified electors of said ward, on a day and at a place to be named in said resolution. Notice of the time and place of such session of said board shall be published in the official paper of the city, for at least four consecutive days prior to such session. It shall not be necessary to insert in such notice the names of the registered electors or post handbills containing the same, as in case of general or charter elections. The provisions of the aforesaid act number one hundred and seventy-seven, and of this act, or so much thereof as may be applicable, shall govern and regulate the action of said board, each member thereof and all other persons, in reviewing and completing the register of electors at such session; and all persons are hereby made liable to the penalties prescribed therein for any violation of the same at such session, as if the same were here enacted. In case there shall be any vacancy in the then board for such ward or district, the same shall be filled as provided by law.

SEC. 19. The newspaper published in the said city of Saginaw which shall be designated by the common council to publish the official proceedings of said common council shall be the official paper of said city during the time in which it shall continue, by order of said council, to publish such proceedings: Provided, That the compensation paid for printing shall not exceed the following prices, viz: Proceedings common council and all boards fifty cents per thousand ems printer's measure. Slips as follows: Common council proceedings, two hundred copies, five dollars per meeting. Board of public works, one hundred and twenty-five copies, three dollars per meeting. Board of estimates proceedings, two hundred copies, two dollars per meeting. Board of health, fifty copies, one dollar and fifty cents per meeting. Board of police commissioners, fifty copies, one dollar and fifty cents per meeting. All to be paged and ready for binding, including three copies of extra heavy paper for official record. Slips of ordinances, contracts, etc., at one dollar per hundred; legals and other notices, sixty cents per folio for first insertion, thirty cents per folio for subsequent insertions. This does not include notices which on the order of any city official are to be published among pure matter in

regular reading columns. Copies of paper delivered to mayor, controller, clerk, treasurer, city engineer, city attorney, and city assessor, police judge and justice of the peace. When the proceedings of the common council or any one of the boards mentioned above at any one meeting shall exceed in length six columns of twenty inches in length, the publishers of the paper shall be allowed to publish the amount in excess of six columns in the next succeeding issue: And provided further, That the said common council proceedings or a synopsis thereof, shall not at public expense be ordered published in other than the official paper.

To whom delivered.

When excess of council proceedings may be published.

Further proviso.

SEC. 23. The appointment of the members of the board of public works, public health, assessment and review, and police commissioners, shall be so made that the members thereof shall not all be of one political party, and both taxing districts shall at all times be represented on said boards by one or more members resident within such taxing district.

Of whom boards to consist.

SEC. 30. At the biennial fall election there shall be chosen in each ward an alderman for the term of two years, one constable for the term of two years; and at the biennial spring election in each ward there shall be chosen a supervisor for the term of two years and in each of the twelve wards upon the east side of the river at said biennial spring election, there shall be chosen one school inspector for the term of two years.

Officers chosen at fall elections. At spring elections.

SEC. 46. No action shall hereafter be brought against the city or any of its boards or officers for any injury alleged as the result of any negligence on the part of the city or any board or officer thereof, unless the person injured shall serve or cause to be served, within sixty days after such injury shall have occurred, a notice in writing on the common council of said city, which notice shall set forth substantially the time when and the place where, such injury took place, the manner in which it occurred, and the extent of such injury, as far as the same has become known, and that the person receiving such injury intends to hold the city liable for such damages as may have been sustained by him. All facts relating to such personal injuries shall be set forth in an affidavit made by claimant. Such affidavit shall also state the names and addresses of all of claimant's witnesses, the name of the attending physician, if any, the amount of money, if any, expended for medical attendance, the loss of time and value thereof, and shall fully describe the nature and extent of the injury received, and the amount of compensation claimed by reason of such damage or injury. All claims for damages against the city, growing out of negligence or default of said city, or of any officer or employee thereof shall be presented in the manner above provided, within sixty days after such damage has been sustained or received, and, in default thereof, shall be thereafter forever barred. But claims which have been presented to the common council prior to

In case of personal injuries.

Affidavit to be made. What to contain.

Time limit.

the passage of this act, shall not be barred for failure to attach thereto a sworn affidavit of the particulars of such injury. No action shall be maintained in any case unless the same be brought within one year after such injury shall be received.

TITLE EIGHTEEN.

Board of estimates, how appointed and of whom to consist.	SECTION 1. The board of estimates in and for the city of Saginaw is hereby created, to consist of five members, not more than three of whom shall be members of the same political party, three from the eastern taxing district and two from the western taxing district, who shall be appointed by the common council upon the nomination of the mayor. The members of said board hereafter appointed in January A. D. nineteen hundred and three, shall hold their office for the term of one, two, three, four and five years respectively, and until their successors qualify. The term of office of the members of said board appointed thereafter, shall be five years. They shall serve without pay. The term of office of the members appointed for one year, shall be deemed to expire upon the qualification of his successor, who shall be nominated and confirmed as provided in section five, title two, of the charter of said city. Said board shall elect one of their number president of said board. If he is absent or incapacitated from performing his duties, the board shall appoint a president pro tempore. The city clerk shall keep a record of its proceedings. The meetings of said board shall be held in a suitable room in the city hall, to be provided by the common council. If no provision is made then they shall be held in the common council chamber. Said board shall meet annually on the first Monday in May, at ten o'clock in the forenoon, and other meetings shall be held on call of the president, or on written notice of a majority of the members of said board delivered to the clerk. The board may adjourn from time to time, and in case no quorum shall be present at the appointed time of meeting, those present shall adjourn such meeting to some future time, and from time to time until the business referred to it by the common council is disposed of, and it shall not be necessary after the common council has referred to the board of estimates any resolution or proceedings which under the charter is required to be referred to said board, to again call a meeting of said board of estimates, but it shall dispose of such matters without further call from the common council. The board shall have the right to call upon the common council, or upon any officers of boards of the corporation, for any information which it may require, or for further reports for the purpose of estimating any amount to be raised, or in reference to any other matters pending before such board. And such board or officers shall furnish the same as soon as possible after such
Terms of office.	
Compensation.	
To elect president.	
Record of proceedings, who to keep.	
Meetings, when and where held.	
When may adjourn.	
Rights and powers.	

request. It shall also have the right to inspect the official books and papers of said officers or boards.

SEC. 2. All acts or parts of acts in so far as they are in Acts repealed. conflict with this act are hereby repealed.

This act is ordered to take immediate effect.

Approved May 8, 1901.

[No. 420.]

AN ACT to provide for the payment of pensions to aged and disabled policemen of the city of Bay City, and to the wives and children of policemen killed in the service of said city, and to repeal all acts and parts of acts inconsistent with or contravening the provisions of this act.

The People of the State of Michigan enact:

SECTION 1. That whenever any person who has been a When eligible to receive pension. member of the police department of the city of Bay City, or employed by the police commission of said city for a period of twenty-five years subsequent to May fourteenth, eighteen hundred seventy-seven, shall become permanently incapacitated from performing regular active duty, and any member of said police department or person in the employ of said police commission after the passage of this act, who shall become totally-disabled by reason of any cause resulting from an actual discharge of or attempt to actually discharge his duties, the board of police commissioners of said city, by an unanimous vote thereof, may retire such person from active service; and when any such person is so retired he shall be Amount to be paid. paid annually, in equal monthly installments as hereinafter provided, a sum not exceeding one-half of his annual salary, as such police officer or employe, at the time of his retirement: Proviso. Provided, That the sum annually paid him after his retirement, shall not exceed six hundred dollars: Further proviso. Provided further, That no member of said police department or employe of said police commission shall be so retired until he has been duly notified by said police commission of its intention to so retire him, and an opportunity given him to be heard in opposition thereto, if he so desires.

SEC. 2. In case any person in the employ of the police Pension, to whom paid when police-man killed. commission of said city of Bay City shall be killed while in the active discharge of his duty, or shall receive injuries while discharging or attempting to discharge his duty, which result in his death within one year thereafter, the widow first, or children, if there is no widow, and if such person shall leave no widow or children, then the mother of such person,

Amount to be paid.	if dependent upon him for support, shall by unanimous vote of the police commission be paid a pension. The widow or dependent mother shall receive the sum of three hundred dollars annually in equal monthly payments of twenty-five dollars each during the term of her natural life, or until she re-marries, in which case all payments of moneys under this act to such widow or dependent mother shall cease. In case of the death of such widow, the same amount shall be paid to such children as shall be under the age of sixteen years at the time of the death of said widow; the money to be equally divided among such children according to the number. In case such deceased person shall leave no widow, but one or more children, such child or children shall receive in equal proportion according to the number of such children, the same amount as would have been paid to the widow, such payments to be made monthly or semi-monthly as hereinbefore provided, and to continue until such child or children shall attain the age of sixteen years respectively. In case of the death of one or more children, their share of such pension shall be paid to the survivor, provided they are under the age of sixteen years: Provided however, That the amount paid to any one child shall not exceed the sum of twelve dollars per month. The money for the payment of such pension shall be collected and paid in the manner hereinafter provided.
In case of death of widow.	
When children to be paid pension.	
Proviso.	
Proceedings when member placed on retired list.	SEC. 3. Whenever any person is placed on the retired list as provided in this act, it shall be the duty of the police commission to promptly report its action to the comptroller of the city of Bay City, giving the names of the persons retired, together with a full statement of facts connected with the retirement of such person or persons. It shall be the duty of the comptroller to register the names of such persons as being retired policemen of the police department of the city of Bay City, and as hereinafter provided, countersign all orders issued to them for moneys due them under this act.
Certain book to be kept and what to contain.	SEC. 4. There shall be kept in the office of the police commissioners by the clerk thereof, a book to be known as the list of retired policemen. This book shall give a full and complete history and record of the action of the police commission in retiring any and all persons under this act; such record to give the names, date of joining the department, date of retirement, and the reason therefor, if any, and all persons retired. When the widow or children or dependent mother, or either of them, shall be entitled to a pension as hereinafter provided, such widow or children or dependent mother shall make application for a pension to the police commission through the secretary of such commission on a form to be provided by such commission. Accompanying such application shall be the proof of the marriage of the deceased to the widow of claimant, such proof to be established by the marriage certificate or other competent evidence
Application for pension, how made and what to contain.	

of the marriage relation. Proofs of the births of the children shall be shown by the certificate of the attending physician or other competent evidence. The proof of the dependency of the mother shall be shown by the affidavit of such mother and two disinterested persons. All applications and proofs shall be retained in the custody of the police commission. Whenever such application for pensions are allowed by the police commission, due notice of such action, with the names of all pensioners shall be given to the comptroller of the city of Bay City, who shall cause such persons to be registered in his office as pensioners of the police department of the city of Bay City.

SEC. 5. Immediately on the passage of this act, the treasurer of the city of Bay City, shall transfer upon the books of said city, all moneys heretofore earned by the police department as rewards, which may have been paid in, and placed to the credit of the general or other fund of said city, and all moneys hereafter earned in like manner shall also be credited to said fund. All moneys collected under this act, shall be placed to the credit of, and be known as as "police pension fund," and shall be at the disposal of the board of police commissioners for the payment of said pension as the sum shall become due. In case, at any time, there shall not be sufficient money in said fund to pay said pensions, the same shall be paid out of the general fund, and the necessary amount to pay all pensions under this act shall be estimated and raised annually by taxation in the same manner as are other moneys for the payment of expenses of said city.

City treasurer
to transfer
certain
moneys.

Moneys, how
used.

SEC. 6. At the regular meeting in each and every month the police commission shall order the payment of moneys due all persons under this act. A voucher shall be prepared for the payment of each person entitled to moneys; the correctness of the same to be duly certified to by the chairman of the police commission, and the fact of the allowance of the claim duly attested by the comptroller of the city. The comptroller shall then certify the allowance of said claim to the city recorder. The certificate shall be countersigned by the president of the police commission, and shall state the object for which it is drawn. Upon presentation of the certificate to the recorder, he shall draw his warrant on the city treasurer for the amount of the certificate, the same to be paid from and charged to the "police pension fund."

Money due
persons, when
and how paid.

SEC. 7. Before issuing any certificate for the payment of a pension, it shall be the duty of the clerk of the police commission to examine under oath all pensioners, with a view to ascertaining if they are at the time entitled to a pension as provided for in this act, and whenever the said clerk shall learn that any person has ceased to be entitled to a pension as herein provided for, he shall record the fact on the roll of pensioners and promptly notify the comptroller of such disability, and such person shall be thereupon dropped from the rolls.

Pensioners to
be examined
before
payment.

Moneys to be credited to fund.

SEC. 8. All moneys arising from fines imposed upon any member of the police force by the board of police commissioners, and all moneys received from the sale of unclaimed goods or articles which may be disposed of under the direction of the common council, shall be credited to the police pension fund and become a part thereof.

When payments to be made.
Proviso.

SEC. 9. All payments made under this act shall be made on the regular pay day for the police department in each month: Provided, however, That the first payment shall be for the period intervening between the date of the allowance of such pension and the date of making such first payment: Provided further, Nothing in this act shall in any way make the State liable for the payment of any moneys herein provided for.

Further proviso.

Application of act.

SEC. 10. Nothing in this act shall be construed or deemed to apply to special policemen, nor to policemen appointed upon the request and who are paid by private parties, nor to any person having any calling, business, profession or other means whereby they may be enabled to obtain a livelihood, nor shall any person actually receiving a pension under the provisions of this act draw or receive any other moneys from said city.

Act repealed.

SEC. 11. Act number four hundred forty-one of the local acts of eighteen hundred ninety-nine is hereby repealed.

This act is ordered to take immediate effect.

Approved May 8, 1901.

[No. 421.]

AN ACT to provide for the compensation and to prescribe the duties of certain officers of the county of Saginaw.

The People of the State of Michigan enact:

Salary of certain officers.

SECTION 1. That the treasurer of the county of Saginaw shall receive a salary of two thousand dollars per annum; that the clerk of the county of Saginaw shall receive a salary of two thousand dollars per annum; that the register of deeds for the county of Saginaw shall receive a salary of two thousand dollars per annum; and the deputy game warden shall receive a salary of five hundred dollars per annum. The officers named shall not be entitled to any compensation other than said salary for performance and discharge of any duties growing out of their office, or any office the duties of which they exercise by virtue thereof, including fees for all affidavits executed by said officers or their deputies.

SEC. 2. It shall be the duty of the officers named in the foregoing section to collect all fees now provided by law for the performance of duties growing out of their said offices: Duties of officers. Provided, That before any suit at law or in chancery shall be commenced in said court there shall be paid to the clerk of said court by the party commencing said suit, the sum of two dollars. And before any final judgment or decree shall be entered in any such suit there shall be paid to the clerk of said court by the prevailing party the sum of four dollars. And if a jury shall be demanded by either party to any such suit, such party shall at the time of making such demand pay to said clerk the sum of three dollars: Provido. Provided further, That in case both parties shall demand a jury, the clerk shall receive such sum from the party first making the demand therefor, and from him only. All moneys so received shall be paid by said clerk to the county treasurer as provided in section three of this act; the sums paid as aforesaid shall be held to be in full of all clerk's entry and jury fees in any such suit from the commencement thereof to and including the issuing and return of execution or other final process. The sum or sums so paid shall be taxed as costs of suits in favor of the party paying the same if he be the prevailing party, in addition to any other costs to which he may be entitled by law. Further proviso.

SEC. 3. The fees collected by the foregoing named officers shall be paid to the county treasurer on Saturday of each week. Such payments shall in all cases be accompanied by a statement in writing by the respective officers of services rendered and fees collected, and that the same is true in every particular, which statement shall be verified by the oath of the officer making the same that such statement is true; the moneys so paid shall be for the use of said county, and by said treasurer shall be immediately placed to the credit of the general fund. Fees collected, how and to whom paid.

SEC. 4. Said officers shall give a bond to the board of supervisors of Saginaw county with sufficient sureties to be approved by said board, and in such amount as the board may direct conditioned for the faithful discharge of the duties growing out of their said offices as prescribed by this act. Officers to give bond.

SEC. 5. No person hereafter elected to the office of county clerk, register of deeds, or county treasurer in the county of Saginaw shall enter upon the discharge of his duties until he has executed a bond pursuant to the foregoing section. In addition to the powers now vested by law in said board of supervisors they shall have power: Idem.

First. To prescribe the number of deputies or clerks to be employed in said offices, and fix the compensation of the copyists in the register of deeds' office, which number shall be sufficient for the proper transaction of the business of such offices; the principal deputy of the county treasurer shall Additional powers of board of supervisors.

receive a salary of thirteen hundred dollars per annum, and the two deputies of the county clerk shall each receive a salary of one thousand dollars per annum, and the principal deputy of the register of deeds shall receive a salary of thirteen hundred dollars per annum; such deputies and clerks shall be appointed by said treasurer, county clerk and register of deeds respectively;

Moneys, how paid.

Second. To prescribe and direct that all moneys of said county of Saginaw shall be paid out only on the order of the chairman of the board of supervisors of said county, countersigned by the clerk of said board. All salaries named in this act shall be paid monthly out of the general fund of the county.

Penalty for violation of act.

SEC. 6. Any officers who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in the sum not to exceed five hundred dollars or imprisonment in the county jail not exceeding six months or both such fine and imprisonment in the discretion of the court.

Act repealed.

SEC. 7. Act number two hundred eighty-five of the local acts of the session of the legislature of eighteen hundred ninety-three is hereby repealed.

Approved May 9, 1901.

[No. 422.]

AN ACT to amend act number four hundred forty-two of the local acts of eighteen hundred ninety-seven, entitled "An act to revise the charter of West Bay City and to repeal all acts and parts of acts inconsistent therewith," approved May twenty-sixth, eighteen hundred ninety-seven, by amending sections eight and nine of chapter twenty-one and section six of chapter thirty.

The People of the State of Michigan enact:

Sections amended.

SECTION 1. That sections eight and nine of chapter twenty-one and section six of chapter thirty of act number four hundred forty-two, of the local acts of eighteen hundred ninety-seven, entitled "An act to revise the charter of West Bay City and to repeal all acts and parts of acts inconsistent therewith," approved May twenty-sixth, eighteen hundred ninety-seven, be and the same are hereby amended so as to read as follows:

CHAPTER XXI.

SEC. 8. Before proceeding to the construction of any district, branch or lateral sewer, the council shall cause to be prepared a diagram and plat of the whole sewer district, showing all the streets, public grounds, lands, lots and subdivisions thereof in the district; also the proposed route and location of the sewer, the depth, grade, and dimensions thereof, and shall also procure an estimate of the costs of the construction thereof; thereupon the council shall give notice by publication in the official paper of the city for at least five times, of the intention to construct such sewer and where said diagram and plat may be found for examination, and of the time when the council will meet (which shall be in not less than ten days from the first publication of said notice) and consider any suggestions or objections that may be made by parties interested with respect to such sewer.

Procedure in building sewers.

How council to give certain notice.

SEC. 9. When the council shall determine to construct any such district, branch or lateral sewer, they shall so declare by resolution, designating the district and describing, by reference to the plat and diagram thereof mentioned in the preceding section, the route and location, grade and dimensions of the sewer. The cost and expense of the same shall be defrayed in the manner as provided in section seven, chapter twenty-one, and section three of chapter twenty-four of this act; and they shall cause such plat and diagram, as adopted, to be recorded in the office of the city clerk, in the book of sewer records.

Procedure when district sewer to be constructed.

Cost, how defrayed.

CHAPTER XXX.

SEC. 6. The council may also raise by tax in each street district for defraying the expenses of working upon, improving, repairing and cleaning the streets of the district, and for all other purposes for which the street district fund above mentioned is constituted, a sum not exceeding one per cent. in any one year, according to the assessed value of the taxable real and personal property of the district: Provided, That the amount to be so raised in any district shall be limited to one-fourth of one per cent. except where an additional amount shall be raised for the purpose of paying the district's proportion of the expense of paving streets within such districts.

Taxes, how raised for street cleaning, etc.

Provided.

This act is ordered to take immediate effect.

Approved May 9, 1901.

[No. 423.]

AN ACT to authorize the township of Pentwater, in the county of Oceana, Michigan, to borrow money to make public improvements in said township, and to issue bonds therefor.

The People of the State of Michigan enact:

Authorized to
borrow money
and issue
bonds.

Proviso.

Question of
bonding to
be submitted
to electors.

Form of
ballots.

How election
to be
conducted.

SECTION 1. That the township of Pentwater, in Oceana county, be and it is hereby authorized and empowered to borrow money on the faith and credit of said township and to issue bonds therefor to an amount not exceeding the sum of thirty thousand dollars, which shall be expended in making public improvements in said township of Pentwater: Provided, That a majority of the qualified electors of said township voting at a general election or a special election called for that purpose, shall vote in favor of such loan, and not otherwise.

SEC. 2. The township board of said township of Pentwater is hereby authorized and empowered to submit the question of said bonding to the qualified electors of such township at any general election or special election called for that purpose, giving due notice thereof, by causing the date, place of voting and object of said election to be stated in written or printed notices to be posted in five public places in said township at least twenty days before the time fixed by said board for such election, which notices shall state the amount of money proposed to be raised by such bonding and the purpose or purposes to which it shall be applied.

SEC. 3. The vote upon such proposition shall be by a printed ballot, and shall be in the following words: "For the issuing of township bonds for public improvements, Yes." "For the issuing of township bonds for public improvements, No." It shall be the duty of said township board to provide at the polls of such election during the whole time while the same shall be open, a sufficient number of ballots as shall be necessary to supply all the electors desiring to vote thereon. The election shall be conducted and the votes canvassed in all respects as in other township elections, and immediately upon the conclusion of such canvass, the inspectors of election shall make and sign a certificate, showing the whole number of votes cast upon such proposition and the number for and against such proposition. Said inspectors shall indorse upon such certificate a declaration in writing of the result of such election, which certificate and declaration shall then be filed with the clerk of said township and a copy of said certificate and declaration certified to by said township clerk, shall be filed by him with the county clerk of Oceana county.

SEC. 4. If such loan shall be authorized by a majority of such electors, voting thereon, said bonds may be issued at such times thereafter, in such sum, not exceeding the amount hereinbefore limited, in such denominations, and payable at such times, with such a rate of interest, not exceeding five per centum per annum, as the township board of said township shall determine and direct; said bonds shall be signed by the supervisor and clerk of said township, and sealed with the seal of said township, and negotiated by or under the direction of said township board, and the money arising therefrom shall be appropriated in such manner as said township board shall determine, for the purpose aforesaid.

When bonds
may be issued.

Bonds, how
signed.

SEC. 5. In case of the issue of said bonds, the said township board shall have the power, and it shall be its duty, to raise by tax upon the taxable property of said township such sum or sums as shall be sufficient to pay the amount of said bonds and the interest thereon as fast as the same shall become due; and it shall be the duty of the supervisor of said township of Pentwater to assess, and the treasurer of said township to collect, in each year thereafter, in addition to any taxes now authorized by law to be assessed and collected in such township, an amount sufficient to pay all interest upon such bonds accruing and becoming payable thereon, and also any installment of the principal thereof falling due in any one year.

Amount to be
incorporated
in tax.

Who to assess
and collect
said tax.

SEC. 6. No bonds issued under and by virtue of this act, shall be used or negotiated at less than their par value.

Bonds, how
negotiated.

This act is ordered to take immediate effect.

Approved May 9, 1901.

[No. 424.]

AN ACT to detach certain territory from the townships of Millen and Hawes and to attach the same to the township of Mitchell, in the county of Alcona, and State of Michigan.

The People of the State of Michigan enact:

SECTION 1. That township twenty-six north of range five east, be and is hereby detached from the township of Millen in the county of Alcona, and that township twenty-seven north, range six east, be and is hereby detached from the township of Hawes in the county of Alcona; and that said township twenty-six north, range five east and township twenty-seven north, range six east, be and are hereby attached to the township of Mitchell, in the county of Alcona, and State of Michigan.

Territory
detached.

Territory
attached.

Unpaid taxes,
to whom paid.

SEC. 2. All the taxes heretofore assessed upon any of said lands and now remaining unpaid, shall whenever hereafter collected, be paid over to the treasurer of the township to which the lands upon which said taxes were assessed, are by this act attached.

Territory,
how assessed.

SEC. 3. In the year nineteen hundred one, the said territory detached from the townships of Millen and Hawes and hereby attached to the township of Mitchell, shall for all purposes of taxation be included with and assessed with the township of Mitchell, the same as if said territory had been part of the township of Mitchell upon the first day of April, nineteen hundred one, and no tax shall be levied or assessed against said territory for the year nineteen hundred one in the townships of Millen and Hawes.

This act is ordered to take immediate effect.

Approved May 10, 1901.

[No. 425.]

AN ACT to create a voting precinct in the township of Rockland in Ontonagon county.

The People of the State of Michigan enact:

Territory, to
contain.

SECTION 1. The following described territory now embraced in the township of Rockland, in the county of Ontonagon, to wit: all territory lying west of the Ontonagon river in township fifty north of range thirty-nine west; the entire of township forty-nine north of range forty west; also sections, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five and thirty-six, in township fifty north of range forty west, shall constitute and be denominated as election precinct number two of said township.

Precinct, how
managed.

SEC. 2. This precinct, as far as may be, shall be managed under, and shall be subject to all the provisions of act two hundred three of the public acts of eighteen hundred seventy-seven, entitled, "An act relative to dividing townships and villages into election districts, and to provide for the registration of electors in such cases," approved May twenty-third, eighteen hundred seventy-seven.

Approved May 13, 1901.

[No. 426.]

AN ACT to establish and provide justices' courts in the city of Detroit, and to repeal act number four hundred and sixty of the local acts of eighteen hundred and ninety-five, entitled "An act to establish and provide justices' courts in the city of Detroit," and to repeal act number two hundred and eighty of the local acts of eighteen hundred and eighty-three, entitled "An act relative to justices' courts in the city of Detroit" approved April twenty-fifth, eighteen hundred and eighty-three, and all acts amendatory thereof.

The People of the State of Michigan enact:

SECTION 1. That there shall be four justices of the peace in and for the city of Detroit, who shall be elected at the regular charter election of said city, or at any general election held therein, in the same manner, possess the same jurisdiction, powers, duties, and liabilities, as justices of the peace for townships, excepting as otherwise provided by law. Each of said justices of the peace shall hold his office for the term of four years, commencing on and after the fourth day of July succeeding his election. The four justices of the peace heretofore elected in accordance with the provisions of an act entitled "An act to establish and provide justices' courts in the city of Detroit," and to repeal act number two hundred and eighty of the local acts of eighteen hundred and eighty-three, entitled "An act relative to justices' courts in the city of Detroit," approved April twenty-fifth, eighteen hundred and eighty-three, and all acts amendatory thereof, approved June first, eighteen hundred and ninety-five, shall be and continue to act as justices of the peace under the provision of this act until the expiration of their respective terms of office. At the general election held in November in each year preceding the expiration of the term of office of each of said four justices of the peace, a successor of said justice of the peace shall be elected, whose term of office shall commence on the fourth day of July next succeeding his election and who shall hold his office for a term of four years. The files, records and dockets belonging or appertaining to the offices of justices of the peace now in office, and all files, records and dockets hereafter appertaining to such offices shall be filed and safely kept in the office of the clerk of said justices' courts hereinafter mentioned.

Number of
and how
elected.

Term of office.

When suc-
cessor to be
elected.

SEC. 2. The auditors of the county of Wayne shall provide suitable rooms for the accommodation of said justices of the peace and also an office for the clerks hereinafter mentioned, also such jury rooms as may be necessary, which offices and rooms shall be as nearly contiguous to each other as in the discretion of said auditors, and the convenient dis-

Who to pro-
vide rooms.

To provide dockets, etc.	patch of the business of said courts requires. Said auditors shall also provide necessary dockets, books, including the Michigan Reports, blanks, stationery, furniture and fuel, for the use of said justices and clerks.
Cases justices to have jurisdiction over.	SEC. 3. Each of the said justices of the peace elected in the said city of Detroit, and duly qualified according to law, shall have original jurisdiction of all civil actions wherein the debt or damages do not exceed the sum of one hundred dollars; and concurrent jurisdiction in all civil actions ex contractu and ex delicto wherein the debt or damages, or the property involved does not exceed the sum of five hundred dollars, except as provided in section seven hundred and four of the compiled laws of Michigan, A. D. eighteen hundred ninety-seven.
Further cases.	SEC. 4. The said justices of the peace of the city of Detroit, as against all other justices of the peace, shall have exclusive jurisdiction of all actions and proceedings within their jurisdiction where both of the parties thereto shall, at the time of the commencement of such action, or proceeding, be residents of said city. They shall also have a like exclusive jurisdiction where the original cause of action existed in favor of a resident of said city, but has been by him assigned. They shall also have jurisdiction in all cases where either or any of the parties reside in said city.
Salary.	SEC. 5. Each of said justices of the peace shall receive from the treasurer of the county of Wayne an annual salary of two thousand dollars, payable in monthly installments on the certificate of the board of auditors of the county of Wayne.
Entitled to certain fees.	SEC. 6. This act shall in no way affect the fees to which said justices of the peace shall be entitled on the performance of marriage ceremonies, taking acknowledgments and in administering oaths in matters not connected in any litigation in the said justices' courts.
Who to be presiding justice.	SEC. 7. When this act takes effect, the justice of the peace whose term of office soonest expires, shall be designated the presiding justice of the peace, before whom all writs and process by which suits shall be commenced in said justice's courts, shall be made returnable, and the proceedings in such cases shall be had and taken before such presiding justice of the peace up to and including the joining of an issue of law or fact therein, when the cause in which issue is so joined shall be assigned by the presiding justice of the peace to one of the other justices of the peace for trial and final determination. In all cases where no issue is joined the presiding justice shall dispose of the case as provided by statute. The presiding justice of the peace may assign such cases for hearing and trial before himself as he may deem advisable.
When to dispose of case.	
Length of time to hold.	SEC. 8. Said presiding justice of the peace shall occupy the position of presiding justice three months in succession, when the justice of the peace whose term of office next soon-

est expires shall succeed and act as such presiding justice of the peace for the same length of time. The other justices of the peace shall follow in the occupancy of such position in the same order of succession, each filling the position three months each year. In case of the illness or absence of the presiding justice of the peace, it shall be the duty of the next justice of the peace present in the order of the expiration of his term of office, to act as such presiding justice during the time of the absence of the presiding justice of the peace or during his inability to preside as such, and he shall possess the same powers and jurisdiction while so acting as the presiding justice himself possesses.

Justices to follow in order.

In case of illness of presiding justice.

SEC. 9. Each of said justices shall have his court room open and he shall be in attendance at the duties of his office therein, from nine o'clock in the forenoon, city time, until twelve o'clock noon, and from two o'clock until four o'clock in the afternoon: Provided, That where either one of said justices is actually engaged in the trial of the suit he shall so continue at least until five o'clock in the afternoon, when it shall be necessary so to do in order to finish the trial of said suit: Provided further, That in all cases where a justice is absent from duty for more than one day in succession without the consent of the Wayne county board of county auditors he shall not receive pay during such absences.

When justices to be in attendance.

Proviso.

Further proviso.

SEC. 10. There shall be one clerk for said justices, who shall be known as the clerk of the justices' courts for Detroit. The office of said clerk shall be open continuously from eight-thirty o'clock in the morning, city time, until four-thirty o'clock in the afternoon, each day, excepting legal holidays. He shall be appointed by the board of auditors for the county of Wayne forthwith upon the making and filing with them the written recommendation of the majority of said justices holding office on or before December thirty-first of each year. If for any reason such recommendation be not made and filed by the said date, then the said auditors shall make such appointment on their own motion. The term of office of said clerk shall be one year, to commence on the first day of January. He shall receive from the treasurer of Wayne county an annual salary of fifteen hundred dollars, payable in monthly installments on the certificate of said auditors of Wayne county.

To be one justices' clerk.

Office hours.

How appointed.

Term of office.

Salary.

SEC. 11. Before entering upon the duties of his office the said clerk shall file in the office of the clerk of Wayne county a bond in the penal sum of five thousand dollars, with two or more sufficient sureties to be approved by the said auditors of Wayne county, conditioned that the said clerk shall faithfully and properly perform the duties of his said office, and that he shall well and truly pay to the treasurer of Wayne county all moneys received by him or by his deputies under him, as clerk of said justices' courts, for the use of said county, and that he shall well and truly pay to the persons

To file bond.

entitled thereto all moneys paid under judgments rendered by said justices, and all moneys paid under garnishments in said justices' courts, and otherwise conditioned as the said auditors shall prescribe.

Duties and
powers of
clerk.

SEC. 12. It shall be the duty of said clerk to keep a true and complete record of all proceedings before each of said justices, and to enter all judgments in the docket of the justice rendering the same in the time and the manner prescribed by law, which judgment shall be signed by the justice by whom it was rendered, and such records shall be hereafter indexed in the proper book to be kept for that purpose, which said index shall be kept both as to plaintiffs and defendants. He shall keep true and correct accounts of all moneys received by him or his deputies, as court fees for the use of Wayne county, or for any other purpose, and shall properly account for and pay over the same to the party entitled thereto. He shall also file and safely keep all papers and books belonging and appertaining to the said justices' courts, none of which shall be removed from said office without the authority in writing of the justice to whom the cause is assigned, or the clerk of said court, nor unless proper receipts be given therefor. The said clerk shall also enter in a book provided for the purpose a list of all jurors that sit in trial of cases in said justices' courts, together with the date or dates and the time during which said jurors served, with a reference to the page of the docket containing the record of the cause in which said juror served. He shall make all original writs and process by which suits are commenced returnable before the presiding justice at nine o'clock in the morning, city time, and it shall not be necessary for the said justice to wait any length of time after nine o'clock to dispose of the cases pending before him either by accepting appeal, adjourning the same, entering judgment in the same, dismissing the same or otherwise. Said clerk shall receive all costs, fines and dues of every description which are provided by law in all proceedings in said justices' courts, and shall pay the same weekly to the treasurer of Wayne county, and shall take his receipt therefor. All moneys paid under judgments rendered by said justices, and all moneys paid under garnishments in said justices' courts shall be paid to said clerk, or his deputy or deputies by him authorized to receive the same. Said clerk shall have power generally to administer oaths and to take affidavits.

Clerk to
appoint
deputies.

SEC. 13. Said clerk shall have and is hereby given the power and authority to appoint a sufficient number of deputies, whose term of office shall commence on the first of January each year, to properly execute the work of said office, and said appointment shall not be for a longer time than his term of office, and shall be subject to revocation at any time, for cause, by said clerk. Appointments and revocation of appointment of such deputies shall be made by the

certificate of said clerk filed with the auditors of Wayne county, and such certificates shall be notices of the appointment or revocation as the case may be, and the appointment or revocation shall be operative from the time of the filing of such certificate, and the said board of auditors shall cause payment of salary to such deputies accordingly. The said deputy clerks shall be under the control and direction of the said clerk, and shall perform such duties as he shall direct, and shall have authority to administer oaths, take affidavits, and perform generally the duties of said clerk. Each of said deputies shall, if required by said clerk, furnish a good and sufficient bond for the faithful discharge of his duties, with surety or sureties in such amount and with such conditions as said clerk may prescribe. One of said deputy clerks shall be designated by said clerk as chief deputy, and shall receive a salary of twelve hundred dollars per annum. The other deputies shall each receive a salary of one thousand dollars per annum. Said salaries shall be paid in monthly installments by the treasurer of Wayne county upon the certificate of the auditors of said county.

Duties of
deputies.

Salaries.

SEC. 14. The clerk of said justices' courts shall provide a book for the use of the presiding justice in which shall be entered all cases commenced in said court, numbering such cases consecutively in the order of their commencement, which number shall be known as the case number. Such books shall be appropriately ruled for such entries as may be necessary to be made therein. Upon the assignment of a case by the presiding justice for hearing or trial, said cause shall be entered upon the docket of the justice to whom it is assigned, and be given a number to be known as the docket or file number. All the proceedings in said cause from the issuing and service of the process commencing suit therein up to the rendition of judgment and the satisfaction thereof, shall be entered in said docket and the said docket shall be signed by the justice before whom the cause is tried and judgment rendered. Said clerk shall also provide a book in which a record shall be kept of all cases that are discontinued, dismissed, settled or otherwise disposed of before an issue has been joined in the cause.

Clerk to provide certain
books.

Proceedings to
be entered in
docket.

SEC. 15. Executions for the collection of judgments rendered in said justices' courts shall be signed by the justice by and before whom the cause was tried. In the absence of the justice before whom the cause was tried, or his inability for any cause, to sign the same, the presiding justice, or the justice acting as such, shall sign the said execution.

Executions, by
whom signed.

SEC. 16. Before any civil action or proceeding, except proceedings in garnishment, shall be commenced in said justices' courts, there shall be paid to the clerk of said court by the party bringing the action, the sum of fifty cents and the fees of the officer for service of the writ or process by which such action is commenced, and before the trial of such

Certain fees to
be paid clerk.

Disposal of fees.	<p>action or proceeding shall be commenced, the further sum of fifty cents; but in case of non-suit no judgment fee shall be required, and proceedings in garnishment shall be treated as part of the principal case, except garnishment proceedings commenced upon judgment rendered prior thereto, in which cases an entry fee and trial fee shall be paid as in other actions, and no additional fees shall be charged therefor and up to and including the entry fee of judgment therein. The fees paid to the clerk for service of such writ or process by which the action is commenced, shall be retained by said clerk until the writ or process has been returned duly served or said cause is brought to issue, when the said fee or fees shall be paid by said clerk to the officer making the service, taking his receipt therefor and placing the same in the files in said cause: Provided, That if it appear by the files in said case that no service has been had three months after the date of the writ then the officer's fees which have been paid into the court shall be returned by the clerk to the plaintiff in the suit.</p>
Proviso.	<p>SEC. 17. If any person shall satisfy one of said justices by affidavit that he has a good meritorious cause of action for personal services against another within the jurisdiction of said courts, and that he has made personal demand of payment thereof of the debtor and that such payment has been refused, and that he is financially unable to pay the court costs, and shall also state the name and residence of the debtor, and the amount due over and above all legal setoffs, the justice to whom such affidavit is presented may in his discretion endorse on such affidavit directions to the said clerk to cause to be issued the proper writ in the case returnable before the presiding justice as in other cases, without charge for court fees for the commencement or trial of said cause. If the plaintiff in such case recover judgment he shall be entitled to recover his costs therein. The usual court fees however, shall also be taxed against the defendant but in favor of Wayne county. If the defendant obtain judgment in such cause the said court fees shall in like manner and for the like purpose be taxed against the plaintiff. Nothing herein contained shall be so construed as to prevent the circuit court for the county of Wayne, on an appeal of any such cause, to require the plaintiff therein to give security in said court for costs as in other cases.</p>
Summons, how served.	<p>SEC. 18. The service of a summons under this act may be made in the manner prescribed in section fourteen of act number one hundred and ninety-one of the public acts of eighteen hundred and seventy-nine being section seven hundred and sixteen of the compiled laws of eighteen hundred and ninety-seven.</p>
Fees paid officers for serving summons, etc.	<p>SEC. 19. Constables and other officers serving writs or process issued out of said justices' courts shall be entitled to receive for the service of such writs or process within the corporate limits of the city of Detroit the following fees:</p>

For the service of a summons by which suit is commenced, seventy-five cents for each defendant served; for the service of a writ of attachment, or a writ of replevin, two dollars; for the service of such process, outside said city limits, the officer shall be entitled to receive in addition to the above compensation, mileage fees according to the statute regulating such fees, to be computed from the place of service to the corporate limits of the city of Detroit. The above fees shall be in full for all services rendered by the officer or his assistants and it shall be unlawful in any case for the officer or his assistants to demand or receive any compensation whatsoever in addition to the fees above set forth. For the service of other process or the performance of other duties, the fees therefor shall be regulated according to the general statutes providing therefor. Except as herein otherwise provided, this act shall in no way affect the fees to which constables are entitled, or the present method of paying them.

To receive no further compensation.

SEC. 20. If, upon the assignment of a cause (case) or upon the adjourned day thereof, the parties to whom the cause (case) may have been assigned shall be absent, the next justice present, in the regular order of precedence as presiding justice, shall have the same jurisdiction to proceed therein as if the cause (case) had been originally assigned to him, and if such succeeding justice be engaged, then the next justice in regular order, not engaged in the trial of a cause (case), shall proceed therein, and the record thereof shall be entered in the docket of the justice to whom the cause (case) was assigned for hearing or trial in the first instance.

When justice absent.

SEC. 21. The board of jury commissioners, as created by act number two hundred and four of the public acts of eighteen hundred and ninety-three, shall annually or whenever required by the senior justice in accordance with the method required by that act, select persons to serve as jurors for the trial of cases, matters and proceedings in said justices' courts, and shall file a list of the persons so selected with the clerk of said justices' courts. The number to be selected on the third Monday of May of each year as provided by said act, shall be three hundred. After the filing of such list the proceedings for selection, summoning and compelling the attendance of jurors and talesmen shall be, as far as practicable, the same as provided by law for like purposes as in the circuit court for Wayne county, except that the attendance of the sheriff shall not be required. Jurors shall be drawn and summoned for a term of two months, which shall be the calendar month next succeeding such drawing. Not less than eighteen nor more than thirty-six jurors shall be drawn and summoned for a term unless for a special reason the presiding justice shall in writing direct that a greater number

Who to select juries.

Number of jurors selected.

Term for which drawn.

Number to be drawn.

Persons
drawn, how
notified.

shall be drawn and summoned. The persons so drawn shall be notified in writing of their liability to jury duty in the justices' courts for the calendar month to be specified, which notice shall be served personally, if practicable, upon each person so drawn, by the sheriff in the manner now provided by law, and a return in writing of the time and manner of such service shall be made and filed with the clerk of said justices' courts. Said jurors shall report for service to the presiding justice. The actual attendance of the persons duly notified for jury service may be required and enforced according to law. The persons so serving as jurors shall be entitled to receive from the county of Wayne the sum of two dollars and fifty cents each for each day's actual attendance, which sum shall be paid by the county auditors on certificate of the clerk of said justices' courts. Wherever by law a judge of the circuit court for Wayne county is required or directed to be present at or to participate in any part of the proceedings to select jurors for that court, the presiding justice or acting presiding justice of said justices' courts shall perform like duty in like proceedings to select jurors for said justices' courts.

Compensation
of jurors.

Number and
qualification
of jurors.

SEC. 22. Juries in said justices' courts shall be composed of six persons, who shall be residents of said city of Detroit, and shall severally possess the lawful qualifications of jurors in the circuit court of Wayne county, and any challenge, which would be valid in said circuit court, shall be valid and sufficient if made in the said justices' courts: Provided however, That but two peremptory challenges shall be allowed to the plaintiff, and the like number to the defendant in all trials in said justices' courts. If any party demand a jury in any action in said justices' courts he shall advance to the clerk the sum of five dollars as jury fee, and the same shall belong to the county of Wayne, and shall be turned over by said clerk in the same manner as is required in the case of other moneys received by him.

Proviso.

Jury, what to
determine.

SEC. 23. The jury empaneled in any cause as herein provided shall determine any and all questions of fact in such cases, but it shall be the duty of the justice hearing such cause to decide all questions of law arising therein, and it shall also be the duty of the said justice to instruct the jury as to the question of law applicable to the case. If it shall appear in such trial that either party is entitled to a verdict as a matter of law and that no question of fact exists requiring the determination of said jury, then said justice shall direct a verdict accordingly.

Justice may
set aside
verdict.

SEC. 24. The justice before whom any cause has been tried and verdict or judgment rendered shall have the same power and authority to set aside the verdict or judgment and grant a new trial therein upon legal cause shown therefor, as the circuit courts of the State possess: Provided, That a motion in writing be made and filed with the clerk of

said justices' courts within five days after the rendition of the verdict or judgment in said cause. Said motion shall briefly and plainly set forth the reasons and grounds upon which it is made. Affidavits upon which the motion is founded shall also be filed at the same time of filing said motion, and notice of of the hearing of such motion, with copy of the motion and affidavits filed as aforesaid, shall be served upon the adverse party, or his attorney at least two days before the hearing thereof. Such motion shall be determined within two days after the same shall have been heard and submitted, and such motion shall be submitted within one week after the same shall have been filed. The time for taking an appeal from judgment in case such motion be not granted, shall begin to run from the time when such motion shall be overruled. In no case shall the pendency of such motion stay the issuing and levy of an execution in such cause; but in case of a levy under execution pending such motion, no sale of the property so levied on shall be advertised or made until the final determination of such motion.

SEC. 25. No appeal shall be taken from any judgment of any justice of the peace in said city of Detroit, except in the following cases: When appeals may be made.

First. When said justice shall disallow any claim in favor of any plaintiff or defendant in any cause in said justices' courts in whole or in part, to the amount of fifty dollars; When claim disallowed.

Second. When such justice shall render a judgment to the amount of fifty dollars exclusive of costs; In either of which cases the party aggrieved may appeal; When judgment exceeds certain amount.

Third. Appeals may be authorized by the circuit court of the county of Wayne, when the party making the appeal has been prevented from making a defense upon the merits of the cause in which such appeal is taken by circumstances not under his control; and such appeal may also be authorized when justice requires that such appeal should be authorized, and in all cases where the parties against whom such appeal is sought has appeared in said justices' courts by an attorney or agent it will be sufficient to serve such attorney or agent with the notices of all subsequent proceedings in such cause and all orders made therein by said circuit court may be served on said attorney or agent, and such service shall have the same effect as though made on the party against whom such appeal is taken; When unable to make defense.

Fourth. Under absolutely no circumstances shall any appeal be allowed or authorized after five days from the rendition of judgment except as herein otherwise provided. No appeal except as provided.

SEC. 26. Before any affidavit for appeal, or writ of certiorari, shall be served on any one of said justices, in addition to the fees allowed by law for making returns to an appeal or certiorari, the entry fee on filing the same in the circuit court shall be paid to the said clerk by the appellant, or plaintiff in error, and the said clerk shall as early as pos- Fee to be paid before appeal, etc., made.

sible file and return to such an appeal or writ of certiorari, in the office of the clerk of Wayne county, and shall pay over to him the fees so advanced to him as aforesaid, and if said return is not filed with the clerk of the circuit court within ten days after the appeal costs or costs on certiorari shall have been paid writ of mandamus may issue to the clerk of the justices' court compelling him to make such appeal forthwith and he shall be personally liable for the costs if any shall be awarded in such proceeding.

Fees paid for
county use.

SEC. 27. The money paid to the said clerk of the justices' courts upon commencement of suit, for trial fees, jury fees, and for fees for making returns to appeal or writ of certiorari and entry fee for filing same shall be for the use of the county, and shall be held to be in full of all fees in civil actions from the commencement thereof to and including the issuing of execution thereon. The sum or sums so paid, including the jury fees, shall be taxed as costs of suit in favor of the party paying the same, if he be the prevailing party in the suit, in addition to any other costs to which he may be entitled by law. In criminal cases the same costs shall be paid and in the same manner as in proceedings before justices of the peace in townships, except that the same shall be paid to the said clerk as in civil cases is provided.

Sums, how
taxed.

Costs in
criminal suits.

Proceedings
when party
gives bond.

SEC. 28. In all cases when a party is required by law to give a bond, as a condition of commencing or prosecuting any suit, action or proceeding in said justices' courts such party may execute and file such bond, or he may in the discretion of the court deposit with the clerk thereof, the amount of the bond required in legal tender funds of the United States. A certificate of such deposit, setting forth the cause in which the amount thereof, the person by whom, the purpose for which and the time when deposited shall be given to the party depositing the same by the clerk of said court. Upon the final disposition of the cause, action or proceedings in which such deposit was made, in case the party making such deposits shall be adjudged liable to pay the costs of such suit or proceedings, or to pay any other sum to secure the payment of which said deposit was made, then such fund so deposited shall under the direction of the court be applied in payment and satisfaction of the same. Should any surplus remain after satisfying such order of the court, the same shall be returned to the party depositing the same.

When used to
satisfy
judgment.

Justice not to
act as at-
torney.

SEC. 29. No justice of the peace elected under this act, shall during his term of office act as attorney in the trial of causes in any court in the city of Detroit.

May adopt
certain rules.

SEC. 30. The justices of the peace mentioned herein shall have the power to make and adopt such rules of practice in said justices' courts as may to them be deemed advisable for the purpose of facilitating the business of said courts.

SEC. 31. In case a vacancy shall at any time occur in the office of the justice of the peace of the city of Detroit, by death, resignation, removal or other cause, it shall be the duty of the common council of the city of Detroit to fill such vacancy by appointment of some suitable person, who shall upon duly qualifying therefor fill such vacancy until the next general election, when a justice of the peace shall be elected to fill the unexpired term of said office. Vacancy, how filled.

SEC. 32. None but attorneys at law of four years standing at the bar of Michigan shall be eligible to be elected or appointed or to hold the office of justice of the peace under the provisions of this act: Provided, That nothing herein contained shall be construed as affecting the term of office of any of the present incumbents of the said office. Who eligible to office. Proviso.

SEC. 33. Act number four hundred and sixty of the local acts of eighteen hundred and ninety-five, being an act entitled "An act to establish and provide justices' courts in the city of Detroit, and to repeal act number two hundred and eighty of the local acts of eighteen hundred and eighty-three, entitled 'An act relative to justices' courts in the city of Detroit,' approved April twenty-fifth, eighteen hundred and eighty-three, and all acts amendatory thereof," approved June first, eighteen hundred and ninety-five, and all acts amendatory thereof, and all other acts or parts of acts contravening the provisions of this act shall be and the same are hereby repealed. Acts repealed.

This act shall take effect July 3d, 1901.

Approved May 13, 1901.

[No. 427.]

AN ACT to amend section one of act number four hundred twenty-nine of the session laws of eighteen hundred sixty-nine, entitled "An act to amend sections one, three, four, five, seven, nine, eleven, fourteen, thirty-three, thirty-six, forty-five, forty-six, forty-eight, forty-nine, fifty, fifty-two, fifty-three and seventy-three of an act, entitled 'An act to set off and incorporate a portion of the township of Grand Haven and Spring Lake, in the county of Ottawa, into a city, by the name of the city of Grand Haven,' approved March sixteen, eighteen hundred sixty-seven," as amended by act number three hundred seventy, local acts of eighteen hundred eighty-one, and to repeal all acts or parts of acts inconsistent with this act.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section one of act number four hundred and twenty-nine of the session laws of eighteen hundred and sixty-nine, entitled "An act to amend sections one, three, four, five, seven, nine, eleven, fourteen, thirty-three, thirty-six, forty-five, forty-six, forty-eight, forty-nine, fifty, fifty-two, fifty-three and seventy-three of an act, entitled 'An act to set off and incorporate a portion of the township of Grand Haven and Spring Lake, in the county of Ottawa, into a city, by the name of the city of Grand Haven,' approved March sixteenth, eighteen hundred and sixty-seven," as amended by act number three hundred seventy, local acts eighteen hundred eighty-one, be and the same is hereby amended so as to read as follows:

Territory in-
corporated
into city.

SECTION 1. That so much of the township of Grand Haven and Spring Lake, and the village of Spring Lake, in the county of Ottawa, as is included in the following description or boundary, to wit: Commencing at a low water mark on Lake Michigan, at the point where the section line between sections twenty-nine and thirty-two, in township eight north, of range sixteen west, touches said low water mark, thence running east along said section line and the section line on the south side of sections twenty-eight and twenty-seven, to the north and south quarter line of said section twenty-seven, thence north along said quarter line through the center of said section twenty-seven to the channel of Grand river, thence following down said channel to a point one hundred and fifty feet above the present highway and swing bridge across Grand river, connecting the city of Grand Haven with the township of Spring Lake, and the village of Spring Lake, thence northerly and parallel with said bridge two hundred feet northerly from the north bank of Grand river, thence westerly and parallel with the said channel of Grand river, three hundred feet, thence southerly

and parallel with said bridge to the channel of Grand river, thence down said channel to the intersection of the north boundary of sections twenty and nineteen, thence west along the north line of said sections to the low water mark of Lake Michigan, and thence southerly along the low water mark of Lake Michigan, to the place of beginning, shall be and the same is hereby set off from said township of Grand Haven and Spring Lake, and the village of Spring Lake, and organized and incorporated into a city, by the name of the city of Grand Haven: *Provided*, That nothing in this act shall interfere with the rights of the United States in and over the one acre of land contained therein, on which stands the United States lighthouse.

SEC. 2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed. *Acts repealed.*

This act is ordered to take immediate effect.

Approved May 13, 1901.

[No. 428.]

AN ACT to restore school district number two of Waterford township, in the county of Oakland, in the State of Michigan, to part of its original boundary lines, and add new territory thereto.

The People of the State of Michigan enact:

SECTION 1. School district number two of Waterford township, in the county of Oakland, in the State of Michigan, shall embrace the following described territory, to wit: All of section twenty-seven, all of section thirty-four, the east one-half of the southeast one-quarter of section twenty-nine, all of section thirty-three, excepting the west one-half of the southwest one-quarter, all of section twenty-eight, excepting west one-half of the northwest one-quarter and the northeast one-quarter of the northwest one-quarter, and the northwest one-quarter of the northeast one-quarter, all in township three north, range nine east, of Michigan meridian. *Territory to contain.*

This act is ordered to take immediate effect.

Approved May 13, 1901.

[No. 429.]

AN ACT to amend section three of act four hundred twenty-nine of the local acts of eighteen hundred eighty-seven, entitled "An act to revise and amend an act, entitled 'An act to organize the union school district of Bay City,'" approved April thirteenth, eighteen hundred eighty-seven, as amended by act four hundred twenty-nine of the local acts of eighteen hundred ninety-seven, approved May seventh, eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That section three of act number four hundred and twenty-nine of the local acts of eighteen hundred eighty-seven, entitled "An act to revise and amend an act, entitled 'An act to organize the union school district of Bay City,'" approved April thirteenth, eighteen hundred eighty-seven, as amended by act four hundred twenty-nine of the local acts of eighteen hundred ninety-seven, approved May seventh, eighteen hundred ninety-seven, be and the same is hereby amended so as to read as follows:

Election of
board.

SEC. 3. On the first Saturday of October next, and each year thereafter, an election shall be held in each of said wards for the election of a member of said board of education for such ward. The voting at such election shall be by ballot, upon which shall be written or printed the name of the person voted for. The board of education shall, at least five days before the time fixed for holding the election, designate the place in each ward where the same is to be held, and give notice thereof by publishing the same one or more times in one or more newspapers published in said city. The members of the board of education for each ward respectively, and the supervisor of such ward, shall constitute a board of inspectors for such election. If there shall be any vacancy in such board of inspectors, or if either member thereof shall fail to appear at the time appointed for the opening of the polls of such election, or if, having appeared, he shall refuse or neglect to act, then the electors present at the polls at that time shall by a viva voce vote, appoint a suitable person to fill such vacancy, and the person or persons so appointed shall constitute the board of inspectors. The inspectors shall appoint a clerk, who shall keep a record, wherein he shall enter the names of all persons voting at said election. Neither the inspectors or clerk shall receive any compensation for their services. The inspectors shall open a poll and receive the ballots of all persons entitled to vote at such election. The polls of such election shall be opened at two o'clock in the afternoon and continue open until seven thirty o'clock in the evening; after the close of the poll, the ballots shall be counted and canvassed by the inspectors. The person

Notice.
Inspectors.

Vacancies.

Clerk.

Compensa-
tion.
Manner of
conducting
election.

receiving the highest number of votes at such election shall be deemed and declared to be duly elected member of the board of education. The inspectors shall thereupon forthwith prepare a certificate showing the result of the election, which shall be signed by them or by a majority of them. They shall also, at the same time, seal up the ballots cast at said election, and within two days thereafter deliver said certificate and said ballots to the recorder of the city, who shall file and keep the same in his office. The package containing the ballots shall not be opened except upon the order of the board of education, or of any court having jurisdiction in the premises. The board of education may order the destruction of said ballots at any time after the expiration of one year from the date of holding said election. All the provisions of the act incorporating Bay City relating to the election of aldermen in said city, so far as the same may be applicable, shall govern as to the manner of holding said election, canvassing and returning the vote, except as in this act otherwise provided. If a new ward shall be created in said city, the board of education shall order the holding of a special election in such ward, at the time and place to be designated by the board, and give at least fifteen days' notice thereof and publish the same one or more times in one or more newspapers published in said city, and shall appoint three reputable persons in such ward to be inspectors of election, but if either of the persons so appointed shall refuse or neglect to serve as such inspector, then the electors present at the time for opening the poll, shall fill the vacancy as hereinbefore provided. The election shall be conducted, the votes canvassed and return thereof made to the recorder in the same manner and subject to the same regulations as are herein provided in the case of the annual election.

Ballots.

Act governing elections.

When new ward formed.

Canvass of votes.

This act is ordered to take immediate effect.

Approved May 16, 1901.

[No. 430.]

AN ACT to incorporate the public schools of Stambaugh township in the county of Iron.

The People of the State of Michigan enact:

SECTION 1. That all the territory and lands situated in the township of Stambaugh, in the county of Iron, shall constitute a single school district, to be known and designated

Territory incorporated.

Powers of district.	as "the public schools of Stambaugh," and such district shall have all the powers and privileges conferred upon union school districts and graded school districts by general law; and hereafter all schools established therein shall be public and free to all persons over the age of five years residing within the limits thereof.
Officers, terms of office, etc.	SEC. 2. The officers of said district shall consist of a president and six trustees, who shall constitute the board of education of said district. The term of office of the president shall be one year, and of each of the trustees three years, and neither of said officers shall be eligible for re-election until the expiration of an intervening term. The annual election of officers in said district shall be held on the second Monday of July, of each year, at which time there shall be elected a president and two trustees: Provided however,
Election, when held.	That at the annual election held therein on the second Monday of July, in the year one thousand nine hundred and one, there shall be elected a president, two trustees for one year, two trustees for two years, and two trustees for three years.
Proviso.	Said board of education shall annually, on the third Monday of July, or as soon thereafter as may be, elect from their number a secretary and a treasurer, whose powers and duties shall be the same as those conferred upon and required of the director and assessor, respectively, of school districts, by the general school laws of this State, and the powers and duties of the president shall be the same as those of the moderator of such districts, except so far as the same may be varied or modified by this act, or other acts amendatory hereof. Said board shall have power to fill any vacancy that may occur in their number, or officers appointed by them, until the next annual election in the district. The president and trustees shall each take and file the constitutional oath of office within five days after their election or appointment, and the treasurer of said board shall, within ten days after his appointment, and before entering upon his duties as such treasurer, execute and deliver to the board of education a bond in at least double the amount of money that will come into his hands as such treasurer; and in case of the death or removal of any of the sureties named in said bond, or when the said board shall deem the sureties therein insufficient, they may require a new or additional bond of such treasurer. Said bond shall be approved by the board of education. No person shall be eligible to the office of president or trustee unless he shall be a resident of and taxpayer within said district.
Board to elect secretary, etc.	
Board to take oath.	
Treasurer to file bond.	
Renewal.	
Body corporate.	SEC. 3. The school district hereby created, may sue and be sued by its corporate name in any of the courts of this State having jurisdiction of the subject matter, and service may be made upon the president, secretary or treasurer of the board of education.

SEC. 4. All property, money and effects of the township school district of the township of Stambaugh, shall become the property of the district hereby created, and the district hereby created shall be liable for and pay the indebtedness of said township school district. Within thirty days after the election of the first board of education hereby provided for, the treasurer of the said township school district of said township of Stambaugh shall pay over to the treasurer of said board of education all moneys in his hands belonging to his district.

Property to
revert to new
district.

SEC. 5. Any inhabitant of the school district hereby created, qualified to vote at a school meeting under the general school laws of this State, shall be a qualified elector at any election held under this act: Provided however, No person shall be qualified to vote upon any question involving the raising of money, or the issuing of bonds, unless he be the owner of property, within the district, liable to taxation.

Qualified
voters.

Proviso.

SEC. 6. The offices of school inspectors of the township of Stambaugh are hereby abolished, and the powers and duties thereof are hereby conferred upon the board of education of the said township, hereby created, who are hereby constituted the board of school inspectors of the said township.

Offices
abolished.

SEC. 7. The said board of education shall have power:

Power of
board.
Borrow
money.

First. To borrow money to defray the necessary expenses of the schools of the said district until the taxes levied for the then current year shall have been collected and paid over to the treasurer of the said board;

Second. To establish schools in said district wherever they may deem it advisable so to do, and for that purpose may lease or purchase sites for school houses, and erect suitable buildings thereon for school purposes; and the schools so established therein shall be uniform in number and length of terms, and a uniform system of text-books shall be used throughout the district;

Establish
schools, etc.

Third. To do and perform any other thing or act that can or may be done or performed by any of the school boards of this State in pursuance of any of the general school laws thereof, but no money shall be borrowed nor bonds issued for the erection of school buildings unless it be so decided by a majority of the qualified electors of said district voting at any annual school election, or at any special school election called for that purpose, and no vote shall be taken for the borrowing of money or issuing of bonds, unless notice of the intention of submitting the question of borrowing money or issuing of bonds, as the case may be, be given in the notice of such election.

Other duties.

Issuing of
bonds
submitted to
electors.

SEC. 8. The board of education shall, on or before the first Monday of September of each year, make an estimate of the amount of money deemed necessary to be raised by taxation for the ensuing year for all purposes of expenditure, within

Estimate of
school taxes,
when made,
contents, etc.

the powers of said board, which estimate shall specify the amounts to be raised for the different purposes, and such estimate shall be entered at length in the record of the proceedings of the board, and the secretary of said board shall, within twenty days thereafter, make a written report of the amount of taxes so deemed necessary, and certify the same to the supervisor of the said township of Stambaugh, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as primary school taxes are levied, collected and returned under the general school laws of this State.

Polls, opening and closing.	SEC. 9. The polls at all elections held in said district under this act, shall be opened at nine o'clock in the forenoon, or as soon thereafter as may be, and shall remain open until five o'clock in the afternoon and no longer, but the inspectors of election may, in their discretion, adjourn the polls for one hour at noon. The president, secretary and treasurer of said board shall constitute the inspectors of election, and in case either of them shall neglect or refuse to attend at the opening of the polls, the qualified electors present may elect as many inspectors as shall be necessary to constitute a board of three members, and any person so elected shall, upon taking the oath of office, have all the powers and perform all the duties of an inspector of election. As soon as the polls are closed the ballot box shall be opened and the votes publicly canvassed, and the result announced before an adjournment shall be had. Upon the completion of such canvass the inspectors, or a majority of them, shall make a statement in writing setting forth the result of such election, which statement shall be filed with the secretary of the board of education within twenty-four hours after such canvass. In case the district shall be divided into two or more election precincts, the canvass shall be made in the same manner as is provided by statute for the canvass of votes in township elections in such cases. Any candidate feeling himself wronged by such canvass may demand a recount of the ballots cast in the same manner as he is entitled to by the laws of this State in township elections.
Inspectors of election.	
Canvass of votes.	
Re-count.	
Township may be divided into precincts.	SEC. 10. The board of education may, in their discretion, divide said township into two or more election precincts and appoint a board of three inspectors for each of said precincts: Provided, That the president, secretary and treasurer shall be the inspectors of precinct number one, to which precinct all the other precincts shall make their returns as provided in the preceding section. Any person, except the secretary and treasurer, acting as inspector of any election shall receive one dollar and fifty cents for all his services at such election, which shall be paid out of the general school fund.
Proviso as to returns.	
Compensation of inspectors.	

SEC. 11. The secretary and treasurer of the board of education shall each receive such compensation as said board of education shall deem proper, but no other member of the board shall receive any compensation for his services as such, nor shall the secretary or treasurer receive more than fifty dollars each for his services as such, for any one year.

This act is ordered to take immediate effect.

Approved May 16, 1901.

[No. 431.]

AN ACT to provide for the submission to the qualified electors of the village of Pentwater, in the county of Oceana, State of Michigan, the question of the relief of Hobart A. Grant, the treasurer of the village of Pentwater, in said county, and his bondsmen from liability on account of the loss of village funds occasioned through the failure of the bank of Neilson & Co., in Pentwater, Oceana county, Michigan, in May, nineteen hundred.

The People of the State of Michigan enact:

SECTION 1. That there shall be submitted to the qualified electors of the village of Pentwater, in the county of Oceana, State of Michigan, at any annual village election or at any special election called for that purpose to be held in said village, the question of relieving Hobart A. Grant, treasurer of said village, and his bondsmen from liability on account of the loss of the funds of said village through the failure of the bank of Neilson & Co., in Pentwater, Oceana county, Michigan, where said funds were deposited; said relief to be determined as hereinafter provided.

SEC. 2. The village clerk of said village of Pentwater shall cause at least ten days' notice to be given of the intended submission of said question, in the same manner as is required by law to be given of said annual village election; said village clerk shall cause to be printed on white paper, and distributed at the polls of said village election in sufficient numbers for the accommodation of all the electors of said village, two sets of ballots of uniform size, color and texture; and on the ballots of one set shall be printed the words, "For the relief, yes," and on the other set of ballots, the words, "For the relief, no." Said ballots voted at said village election shall be voted and deposited in a separate ballot box, and shall be cared for, inspected and counted in the same manner, as near as may be, as ballots relative to constitutional amendments are voted, deposited, cared for and counted.

Question of relief submitted to electors.

Notice of election.

Form of ballot.

Vote required. SEC. 3. If it shall appear from the final inspection and counting of said ballots that two-thirds of the electors voting on said proposition shall have voted in favor thereof, the same shall be declared, by the inspectors of said election, carried and adopted; and it shall be so certified by them to the village clerk, and by him to the common council of said village, within five days after said meeting, and the said Hobart A. Grant and his bondsmen as such village treasurer shall thereupon be released and discharged from any and all liability to said village of Pentwater, for the loss of any funds belonging to said village by reason of the said failure of said Neilson & Co.

When parties released from liability.

This act is ordered to take immediate effect.

Approved May 16, 1901.

[No. 432.]

AN ACT to authorize the city of Norway, in the county of Dickinson, to extend its system of water-works and electric lighting beyond the corporate limits of said city.

The People of the State of Michigan enact:

Power of council to extend water works, etc., beyond limits.

SECTION 1. That the common council of the city of Norway in the county of Dickinson, shall have and hereby is given power and authority to extend the water-works plant now owned and operated by said city of Norway, and to extend any electric light plant hereafter erected and owned and operated by said city of Norway, beyond the corporate limits of said city of Norway, so as to furnish water, fire protection and electric light to the township of Norway in said county of Dickinson and to the inhabitants of said township, and to purchase and acquire, by the exercise of the right of eminent domain, and to hold grounds, privileges, rights, property and materials, and to erect and construct all proper and necessary extensions, structures and improvements in connection therewith, outside as well as within the corporate limits of said city of Norway, and to hold and maintain the same, for the purpose of supplying said township of Norway and the inhabitants thereof with water, fire protection and electric light, with all the rights, remedies and privileges conferred, and subject to the conditions and regulations imposed upon cities and townships in this behalf, by the general laws of this State made and provided.

May hold property, etc.

This act is ordered to take immediate effect.

Approved May 16, 1901.

[No. 433.]

AN ACT to authorize the making of special assessments to pay for the construction of drains and sewers in the village of Highland Park, in the county of Wayne.

The People of the State of Michigan enact:

SECTION 1. That the village council of Highland Park may create special assessment districts and raise, by special assessments therein, in the manner provided in chapter eight of act number three of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties," and the amendments thereto, for street paving assessments, such sums as it may deem necessary for the purpose of paying for the construction of drains and sewers: Provided, In no case shall the whole amount to be levied by special assessments upon any lot or premises for the construction of such drain or sewer exceed twenty per cent of the value of such lot or premises as valued and assessed in the last preceding tax roll: Provided further, That the council shall in all cases advertise for bids for the construction of proposed drains and sewers and shall in no case award bids, except to the lowest responsible bidder: And further provided, That the powers herein granted shall not be exercised by the council except upon petition, duly signed, of a majority of the owners of the property frontage therein, meaning thereby that each owner, whether resident or non-resident and no matter how many feet frontage or parcels of land he may own, shall count one and one only in such petition, except that where more than one person is represented in the ownership of a parcel or parcels of land the owners collectively shall count one in said petition.

Council may create special election districts, etc.

Proviso as to amount.

Proviso as to bids.

Further proviso.

SEC. 2. All of the provisions of act number three of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of villages, within the State of Michigan, and defining their powers and duties," and the amendments thereto, relative to special assessments and the method of constructing and paying for pavements and other public improvements, in so far as they do not conflict with the provisions of this act, shall be applicable herein.

Application of act.

Approved May 16, 1901.

[No. 434.]

AN ACT to provide for the organization of a fractional school district in the township of Pickford, in the county of Chippewa, and in the township of Marquette, county of Mackinac, and State of Michigan, to be known as the Pickford public school district.

The People of the State of Michigan enact:

Territory incorporated.	SECTION 1. That the territory described as section thirty-six and the east one-half of section thirty-five of town forty-four north of range one west; section thirty-one and the west one-half of section thirty-two of town forty-four north of range one east; sections six and seven and the west one-half of section five and the west one-half of section eight of town forty-three north of range one east, all of the township of Pickford, Chippewa county, State of Michigan: Also sections one and twelve of town forty-three north of range one west of the township of Marquette, county of Mackinac, State of Michigan shall be a body corporate, and shall possess the usual powers of a corporation for public purposes, to be known by the name and style of the "Pickford public school district," and in that name shall be capable of suing, and being sued, of contracting and being contracted with and of buying, selling and holding such real and personal estate as is authorized by the statutes governing such corporations.
Body corporate. Name of.	
First meeting, when held.	SEC. 2. The first meeting for organization in said district shall be held on the second Monday in July, nineteen hundred
Officers elected.	one, at which meeting there shall be elected by ballot one trustee for the term of one year, two trustees for the term of
Annual.	two years, and two trustees for the term of three years; and an annual meeting shall be held on the second Monday in July in each year hereafter, when a successor or successors shall be elected to the trustee or trustees whose term of office shall expire; and all such trustees shall be qualified electors of said district and shall constitute the board of trustees of said district.
Board to elect president, etc.	SEC. 3. Said board of trustees shall within one week after each annual meeting of said district, elect from among their number a president, a secretary, and a treasurer. In all other things not provided for in this act said district shall be governed by the general laws of this State for graded schools.
First election, who to preside.	SEC. 4. The present officers of school district number fifteen, in Pickford township, Chippewa county, shall give legal notice of and preside at the first election of trustees in said Pickford public school district.
	This act is ordered to take immediate effect. Approved May 16, 1901.

[No. 435.]

AN ACT to amend act number two hundred and forty-nine of the local acts of eighteen hundred and seventy-one, entitled "An act to incorporate the city of Alpena," approved March twenty-ninth, eighteen hundred and seventy-one as amended, by adding thereto a new section to stand and be known as section ninety-seven.

The People of the State of Michigan enact:

SECTION 1. That act number two hundred and forty-nine of the local acts of eighteen hundred and seventy-one, entitled "An act to incorporate the city of Alpena," approved March twenty-ninth, eighteen hundred and seventy-one as amended, be amended by adding thereto a new section to stand and be known as section ninety-seven. Section added.

SEC. 97. The common council of said city shall not after the passage hereof, have the power to enter into any contract or agreement whatever with any firm, person, corporation or electric company for furnishing street or other lights in or to said city for a longer period than one year at any one time; nor at a price to exceed fifty dollars per light per year for standard arc electric lights of two thousand candle power each, burning on a dark night schedule until one o'clock a. m. of each night. That said common council shall not have the power to settle or pay for street lights heretofore furnished said city until the amount of money claimed for any such service shall be finally adjusted and determined by the courts of this State having jurisdiction of the parties and subject matter in dispute, in a proper proceeding taken and had for such purpose. Power of council relative to lighting contracts.

SEC. 2. All acts or parts of acts whether contained in the charter of the city of Alpena, or the amendments thereto, in conflict with or contrary to the provisions of this act are hereby repealed. When council to pay for lights heretofore furnished.

This act is ordered to take immediate effect.

Approved May 16, 1901. Repealing clause.

[No. 436.]

AN ACT to amend section twenty-seven of an act entitled "An act relative to free schools in the city of Detroit," approved February twenty-four, eighteen hundred sixty-nine, and acts amendatory thereof.

The People of the State of Michigan enact:

Section amended.	SECTION 1. That section twenty-seven of an act entitled "An act relative to free schools in the city of Detroit," approved February twenty-four, eighteen hundred sixty-nine, and acts amendatory thereof, be and the same is hereby amended to read as follows:
Teachers' retirement fund.	SEC. 27. The board of education of the city of Detroit shall establish what shall be known as the public school teachers' retirement fund, which fund shall be administered according to such rules and regulations, by-laws and ordinances as may be adopted by the board of trustees hereinafter provided for not inconsistent herewith. Said fund shall consist of:
Permanent fund. Donations, gifts, etc.	(a) A permanent fund, which shall consist of: First. All moneys received from donations, legacies, gifts, bequests and other contributions designated for said permanent fund;
Appropriations, etc.	Second. All moneys appropriated by the board of education or raised therefor by the approval of the common council and board of estimates;
Tuition fees.	Third. All moneys authorized by this act to be paid into said fund from tuition fees of non-resident pupils and from moneys received and designated as interest on daily balances of all moneys appropriated and collected for the payment of salaries of teachers;
Transfer from general fund.	Fourth. All moneys which the board of trustees hereinafter provided for may deem proper to transfer from time to time from the general fund hereinafter provided for. The interest only of this permanent fund shall be used in the payment of annuities, and for that purpose said interest shall be turned over to the general fund hereinafter provided for.
General fund. Deductions from salaries.	(b) A general fund, which shall consist of: First. All moneys received from deductions made by the board of education from the salaries of teachers in the public schools of said city, which deduction shall not be less than one per cent nor more than three per cent annually of the salary of each teacher: Provided, That no deduction shall be made from the salary of any teacher on an amount greater than one thousand dollars;
Proviso.	Second. All interest or income derived from said general fund;
Interest.	Third. All money, pay, compensation or salary or any part thereof, deducted or withheld from any teacher or teachers on account of absence from duty, or any cause in accord-
Money, pay, etc.	

ance with the provisions of the rules of the board of education;

Fourth. All other moneys intended for the retirement fund and not already specified. The board of trustees shall consist of the president of the board of education, the president pro tem. of the board of education, the chairman of the committee on teachers and schools of the board of education, the superintendent of schools of the city of Detroit, and three teachers in the public schools of the city of Detroit, to be selected by ballot in such manner as said board of trustees shall prescribe by the teachers who contribute a percentage of their salaries to said fund. The term of office of the representatives of the teachers after the first election shall be three years, one to be elected each year. At the first election one representative shall be elected for one year, one for two years, and one for three years. The treasurer of said board of education shall be treasurer of the board of trustees, and shall hold all moneys belonging to said funds and shall pay out the same under the direction of the board of trustees and the board of education as hereinafter provided. The board of education shall on recommendation of said board of trustees, determine the amount to be deducted from the salaries paid to teachers as aforesaid. Said board of education shall have charge of and administer said permanent fund, and shall have power to invest the same in the name of the board of trustees in United States government or municipal bonds and first mortgages upon improved real estate within the city of Detroit to an amount not to exceed one-half of the assessed valuation thereof as shown by the latest assessment roll of said city, and not to exceed one-third of the cash value thereof as determined by the cashier and real estate appraiser of some bank of said city to be designated by the board of education, as shall be deemed most beneficial to said fund. Said board of trustees shall have power to make payments from the general fund of annuities granted in pursuance of this act, and for no other purpose, and shall from time to time make and establish such rules and regulations, by-laws and ordinances for the administration of said fund as they shall deem best. And said board of trustees may provide for honorary membership in the board of trustees for donors to the permanent fund, such honorary members not to have a vote in transacting the business of the board. On and after the passage of this act said board of education shall so amend its rules or by-laws relating to the absence from duty of teachers as to provide that reasonable sums shall be deducted from the salaries of teachers on account of such absence from duty, and said sums shall be transferred to and become a part of said general fund; likewise said board of education shall so amend its rules or by-laws relating to fees received from non-resident pupils as to provide that all moneys received from non-resident pupils for tuition shall be transferred to and become a part of said permanent fund to be established and

Board of trustees.

Term of office of teachers' representatives.

Treasurer.

How fund to be invested.

How annuities paid.

Honorary membership.

Rules and by-laws to be amended.

[No. 436.]

AN ACT to amend section twenty-seven of an act entitled "An act relative to free schools in the city of Detroit," approved February twenty-four, eighteen hundred sixty-nine, and acts amendatory thereof.

The People of the State of Michigan enact:

Section amended.	SECTION 1. That section twenty-seven of an act entitled "An act relative to free schools in the city of Detroit," approved February twenty-four, eighteen hundred sixty-nine, and acts amendatory thereof, be and the same is hereby amended to read as follows:
Teachers' retirement fund.	SEC. 27. The board of education of the city of Detroit shall establish what shall be known as the public school teachers' retirement fund, which fund shall be administered according to such rules and regulations, by-laws and ordinances as may be adopted by the board of trustees hereinafter provided for not inconsistent herewith. Said fund shall consist of:
Permanent fund. Donations, gifts, etc.	(a) A permanent fund, which shall consist of: First. All moneys received from donations, legacies, gifts, bequests and other contributions designated for said permanent fund;
Appropriations, etc.	Second. All moneys appropriated by the board of education or raised therefor by the approval of the common council and board of estimates;
Tuition fees.	Third. All moneys authorized by this act to be paid into said fund from tuition fees of non-resident pupils and from moneys received and designated as interest on daily balances of all moneys appropriated and collected for the payment of salaries of teachers;
Transfer from general fund.	Fourth. All moneys which the board of trustees hereinafter provided for may deem proper to transfer from time to time from the general fund hereinafter provided for. The interest only of this permanent fund shall be used in the payment of annuities, and for that purpose said interest shall be turned over to the general fund hereinafter provided for.
General fund. Deductions from salaries.	(b) A general fund, which shall consist of: First. All moneys received from deductions made by the board of education from the salaries of teachers in the public schools of said city, which deduction shall not be less than one per cent nor more than three per cent annually of the salary of each teacher: Provided, That no deduction shall be made from the salary of any teacher on an amount greater than one thousand dollars;
Proviso.	Second. All interest or income derived from said general fund;
Interest.	Third. All money, pay, compensation or salary or any part thereof, deducted or withheld from any teacher or teachers on account of absence from duty, or any cause in accord-
Money, pay, etc.	

ance with the provisions of the rules of the board of education;

Fourth. All other moneys intended for the retirement fund and not already specified. The board of trustees shall consist of the president of the board of education, the president pro tem. of the board of education, the chairman of the committee on teachers and schools of the board of education, the superintendent of schools of the city of Detroit, and three teachers in the public schools of the city of Detroit, to be selected by ballot in such manner as said board of trustees shall prescribe by the teachers who contribute a percentage of their salaries to said fund. The term of office of the representatives of the teachers after the first election shall be three years, one to be elected each year. At the first election one representative shall be elected for one year, one for two years, and one for three years. The treasurer of said board of education shall be treasurer of the board of trustees, and shall hold all moneys belonging to said funds and shall pay out the same under the direction of the board of trustees and the board of education as hereinafter provided. The board of education shall on recommendation of said board of trustees, determine the amount to be deducted from the salaries paid to teachers as aforesaid. Said board of education shall have charge of and administer said permanent fund, and shall have power to invest the same in the name of the board of trustees in United States government or municipal bonds and first mortgages upon improved real estate within the city of Detroit to an amount not to exceed one-half of the assessed valuation thereof as shown by the latest assessment roll of said city, and not to exceed one-third of the cash value thereof as determined by the cashier and real estate appraiser of some bank of said city to be designated by the board of education, as shall be deemed most beneficial to said fund. Said board of trustees shall have power to make payments from the general fund of annuities granted in pursuance of this act, and for no other purpose, and shall from time to time make and establish such rules and regulations, by-laws and ordinances for the administration of said fund as they shall deem best. And said board of trustees may provide for honorary membership in the board of trustees for donors to the permanent fund, such honorary members not to have a vote in transacting the business of the board. On and after the passage of this act said board of education shall so amend its rules or by-laws relating to the absence from duty of teachers as to provide that reasonable sums shall be deducted from the salaries of teachers on account of such absence from duty, and said sums shall be transferred to and become a part of said general fund; likewise said board of education shall so amend its rules or by-laws relating to fees received from non-resident pupils as to provide that all moneys received from non-resident pupils for tuition shall be transferred to and become a part of said permanent fund to be established and

Board of trustees.

Term of office of teachers' representatives.

Treasurer.

How fund to be invested.

How annuities paid.

Honorary membership.

Rules and by-laws to be amended.

Proviso.	administered as herein provided; likewise said board of education shall appropriate and transfer to said permanent fund all money or moneys received and designated as interest on daily balances of all moneys appropriated and collected for the payment of salaries of said teachers: Provided, That the money thus constituting the permanent fund shall revert to the teachers' salary fund of the board of education of the city of Detroit in case said retirement fund shall for any reason be discontinued: Provided further, That from and after such time as the said permanent fund shall amount to one hundred thousand dollars no further sum shall be added thereto from the two last mentioned sources except by a two-thirds vote of the board of education. Any teacher in the public schools of the city of Detroit who has completed thirty years of service as teacher in the public schools, twenty years of which shall have been in the public schools of Detroit; also any teacher who has taught twenty-five years in the public schools of Detroit, shall upon application be placed on the roll of annuitants by said board of trustees. Any teacher in the public schools of the city of Detroit who has completed twenty-five years of service as a teacher in the public schools, fifteen years of which shall have been in the public schools of Detroit, may be placed on the roll of annuitants by said board of trustees. Any teacher in the public schools of the city of Detroit who shall in the judgment of said board of trustees become so disabled or incapacitated as to be unable or incompetent to perform the duties of teacher, may be placed on the roll of annuitants by a two-thirds vote of the whole board of trustees, provided said teacher shall have completed twenty years of service as a teacher in the public schools, ten years of which shall have been in the public schools of Detroit. Any teacher who shall resign or be removed for cause shall, upon application within three months after date of such resignation or removal, be entitled to receive such sum as said trustees shall direct, not to exceed one-half of the total amount paid by such teacher into such fund.
Further proviso.	
Annuitants.	Each teacher placed on the roll of annuitants shall be entitled to receive an annuity which shall not exceed the sum of two hundred and fifty dollars per annum. The president and secretary of the board of education shall once in three months certify to the treasurer of said board of trustees all amounts deducted from the salaries of teachers in accordance with the provisions of this act, together with all amounts received from non-resident pupils for tuition, and all amounts received as interest or income from moneys appropriated and collected for the payment of salaries of teachers, which amounts as well as all other moneys contributed to said fund or funds, shall be set apart and held by said treasurer in a special fund or funds for the purposes hereinbefore specified, subject to the order of said board of education and said board of trustees, as herein provided, except that the principal of the permanent fund cannot be expended, and the general fund
Proviso.	
Amount entitled to.	
Who to certify to amounts received.	

shall be paid out upon warrants signed by the president and secretary of said board of trustees, and the permanent fund for the purpose of investment upon the warrant of the president and secretary of the board of education: *Provided, Proviso.* That the board of education shall pay out of the maintenance fund of said board all sums which they shall deem necessary for printing and other current expenses of said board of trustees. All moneys belonging to the general fund of the retirement fund at the time this act goes into effect shall be transferred to the general fund created by this act; likewise all moneys belonging to the so-called endowment fund of the retirement fund shall be transferred to the permanent fund created by this act.

SEC. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed. *Repealing clause.*

This act is ordered to take effect June first, 1901.

Approved May 17, 1901.

[No. 437.]

AN ACT to amend sections one, two and thirteen of chapter two, and sections one and twenty-five of chapter four of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June seventh, eighteen hundred eighty-three.

The People of the State of Michigan enact:

SECTION 1. That sections one, two and thirteen of chapter two, and sections one and twenty-five of chapter four of an act entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June seventh, eighteen hundred eighty-three, as heretofore amended be and the same are hereby amended so as to read as follows: *Sections amended.*

CHAPTER II.

SECTION 1. No city election shall be held in November, nineteen hundred one, and annual city elections are hereby abolished. A biennial city election shall be held on the first Tuesday after the first Monday in November in the year nineteen hundred two, and every second year thereafter in connection with the general State election held on the same *Elections, when held. November election.*

April election.	day and to be conducted by the same officers. A biennial spring election shall be held on the first Monday of April in the year nineteen hundred three, and every second year thereafter in connection with the State judicial election held on the same day, and to be conducted by the same officers.
Election districts.	The election districts in the several wards of the city of Detroit as now established shall remain until they shall be changed as provided by this act. It shall be the duty of the
When council to alter district.	common council when any election district shall contain over six hundred and fifty electors to either divide such voting district into two or more election districts, attach a portion thereof to an adjoining district, or re-district the entire ward or any part thereof in which such election district is located. When a district shall be divided, or the boundaries thereof changed, the common council shall assign the several registrars and inspectors who were elected at the last preceding election in such district, to the new districts in which they respectively reside, and to appoint a sufficient number of qualified electors of such new districts, who, with the persons so assigned, and a chairman to be designated by the common council, shall constitute the registrars and inspectors of election of such new district. Election districts shall be bounded by ward lines, by streets or alleys, or other well known and established boundary lines. Notice of a
Re-registration.	general re-registration of electors in all new districts shall be embodied in the notice of registration required by this act, to be published by the city clerk, and such registration shall be made in the same manner as is provided herein for the new registration directed to be made every fourth year, excepting that the sessions of the board other than in such fourth year shall be held on the same days as the other sessions are held in intermediate years, as herein provided.
Who to constitute board of registration.	Sec. 2. There shall be elected by ballot at the biennial November election in the city of Detroit in November, nineteen hundred two, and at the November election in each second year thereafter in each of the several election districts, three qualified electors of the district, who shall constitute
Oath.	a "board of registration of electors." They shall qualify by taking the constitutional oath of office, to be filed with the city clerk, and shall hold office for two years from the first day of January next following their election and until their successors are elected and qualified, and if from death, failure to qualify, removal from the district or other cause, a vacancy in such office shall occur, or the person elected be unable to perform the duties of the office, the common council may appoint a suitable person to perform such duties for the remainder of the term or until the disability be removed. At the election of such persons, no elector shall vote for more than two candidates and from the whole number of votes cast the three persons receiving the highest number of votes
Term.	cast for such office shall be declared elected. The person receiving the highest number of votes shall be the chairman
Who deemed elected.	
Chairman.	

of the district boards of registration and inspectors of elections as herein constituted. Tie votes shall be determined in like manner as cases of an equal number of votes cast for the other city offices. The registrars shall be persons who can read and write in the English language intelligently. The fact that a registrar or inspector is a candidate for reelection shall not disqualify him from acting as such inspector or registrar.

Tie vote.

Qualification
of registrars.

SEC. 13. On the fourth Monday, and on the third Tuesday and Wednesday preceding the general election held in November, and the third Monday and Tuesday preceding the election held in April in said city, the district boards of registration shall be in session in their respective districts at such places as shall be designated in the notice of registration to be published by the city clerk as hereinafter provided from eight o'clock local time, in the forenoon to nine o'clock, local time, in the evening of each of said days, without intermission. At such sessions of such district board, they shall review and complete the list of qualified voters for such district. Such registration shall be made in the "register of electors" for such district and shall be made in the manner provided in this act for a general registration of electors in every fourth year. And all the provisions of law in relation to receiving applicants for registration, and the registrations of such applicants, shall be held applicable to, and govern the registration in such intermediate years. On reviewing the list of electors appearing on such register, if it shall be known to the board that any person whose name appears herein, is dead, or has removed from the city, they shall enter the word "dead" or "removed from the city" opposite such name in the column headed "remarks," and they may further draw a line in red ink through such name. They shall also opposite such entry, in said column of remarks, enter the date of entry and the name of the registrar making it, so as to show when and by whom made, and thereafter such name shall be considered erased, and treated as no longer in the register. But, if it shall happen that such entry is erroneously made, and such persons shall thereafter appear and claim the right to be again registered, he may be registered by the board of registration, in the same manner as though his name had never been erased, or if he shall appear at an election and claim the right to vote thereat, his name, may, on his application, be again registered upon the following terms: He shall upon his examination, on his oath or affirmation, which any member of the board of inspectors may administer, declare that he is the identical person whose name was so registered and erased, and that he is a qualified voter and entitled to vote; and upon making such oath or affirmation, the board of inspectors being satisfied that he is a duly qualified elector, his name may be registered in the manner above described by a member of the board of inspectors,

Meetings of
district board.

Duties of.

Procedure on
death or re-
moval of
elector from
city.When entry
erroneous.What appli-
cant to affirm.

and by its order, the proper entries being entered in the proper register, under the appropriate heading and the name and residence of such person entered in the list made by the board of registration for the use of said board of inspectors, as above provided, and in the column of remarks in the "register of electors," there shall be entered opposite such name the words "registered by inspectors," followed by the signature of one of the board of inspectors. And if such applicant shall affirm or swear falsely he shall be liable to the pains and penalties of perjury, and if an entry shall be made falsely and maliciously, and without credible information, indicating in said register that any person is dead, or who has removed from the city, the member of the board making it, and any other member of the board consenting thereto, shall be deemed guilty of a misdemeanor, and be punished as such; and the party aggrieved shall be entitled to recover from him or them in an action on the case, treble damages for the injury, and treble costs of suit, in any court having jurisdiction of the case, and the record of the defendant's conviction of the criminal offense, duly authenticated, shall be prima facie evidence of his liability. In cases of special elections held in any ward or wards, and not in the city generally, removal certificates provided by section eleven, shall be made and issued by the city clerk, and he shall perform the duties in such case provided to be done by the registrars of the district from which the applicant shall have removed.

When affirmation false.

Removal certificates.

CHAPTER IV.

Elective officers, term of office, etc.

Mayor, etc.

Aldermen, etc.

Justices of the peace.

Police justices.

SECTION 1. There shall be elected at the biennial city election in the year nineteen hundred two and every second year thereafter by the qualified electors of the whole city, the following officers of the corporation on a general city ticket, viz: A mayor, a city clerk, and five members of the board of estimates, who shall hold their offices for the term of two years, beginning on the second Tuesday of January next succeeding their election; and a treasurer, whose term of office shall be two years beginning on the first day of July next succeeding his election. At said biennial city election in November, nineteen hundred two, and every second year thereafter, there shall be elected two aldermen, two members of the board of estimates, and one constable in each ward of the city, for the term of two years from the second Tuesday of January next succeeding their election. At the biennial election in November, nineteen hundred two, there shall be elected two justices of the peace who shall hold office for the term of four years from and after July fourth, nineteen hundred three, and thereafter there shall be elected at each biennial November election two justices of the peace, who shall hold their offices for the term of four years from and after the fourth day of July succeeding their election. The police justice elected at the biennial spring election held in

nineteen hundred one, shall enter upon and hold his office for the term of four years from and after July fourth, nineteen hundred one, and thereafter at each biennial spring election a police justice shall be elected to and hold office for the term of four years from and after the fourth day of July succeeding his election. At the biennial spring election in the year nineteen hundred five, and every third spring election thereafter, there shall be elected a recorder and an additional judge of the recorder's court of the city of Detroit; each to hold office for the term of six years from and after the first day of January succeeding their election. Recorder and judge.

SEC. 25. If a vacancy occurs in any elective office other than that of mayor, recorder or alderman, the common council shall appoint some person eligible under this act, unless otherwise provided, to serve in such office until the next biennial election, when the vacancy shall be filled for the remainder of the official term. No office shall be deemed vacant under this or the two preceding sections of this chapter excepting in case of the death, resignation, expulsion, permanent disability or removal from the city, ward or district of the person appointed or elected to such office. Vacancies, how filled.

SEC. 2. The object and purpose of this act is to amend the charter of the city of Detroit so as to provide for biennial city elections instead of annual city elections; and the common council of the city of Detroit is hereby authorized to provide by ordinance for carrying into complete operation and effect the foregoing amendments of said charter, and to pass all the by-laws necessary or advisable for that purpose. Object of act.

SEC. 3. All acts or parts of acts inconsistent with this act are hereby repealed. Repealing clause.

Approved May 21, 1901.

[No. 438.]

AN ACT to amend sections five, eight, ten and fifteen of act number three hundred six of the local acts of eighteen hundred ninety-three, entitled "An act relative to justices' courts in the city of Grand Rapids, to reduce the number thereof, and to fix the compensation of such justices, and to provide a clerk and officers thereof," approved March twenty-second, eighteen hundred and ninety-three, as amended.

The People of the State of Michigan enact:

SECTION 1. That sections five, eight, ten and fifteen of act number three hundred six of the local acts of eighteen hundred ninety-three, entitled "An act relative to justices' courts Sections amended.

	in the city of Grand Rapids, to reduce the number thereof, and to fix the compensation of such justices, and to provide a clerk and officers thereof," be and the same are hereby amended to read as follows:
Salaries of justices.	Sec. 5. Each of the justices of the peace of the city of Grand Rapids shall receive from the treasury of the city an annual salary of thirteen hundred dollars, which salary shall be in lieu of all fees, costs and charges to which said justices would be entitled but for the provisions of this act, except fees for the performance of marriage ceremonies, for taking acknowledgments, and for administering oaths in matters not connected with suits or proceedings in justices' courts in said city; such salary shall be paid to said justices in monthly installments, as other officers of said city are paid.
Office hours.	Each of said justices shall be in attendance at his office on all days, except Sundays and legal holidays, from the hour of nine o'clock in the forenoon until noon, and from the hour of two o'clock until five o'clock in the afternoon.
Fees paid before action begun.	Sec. 8. Before any civil action or proceeding, except proceedings against the garnishee defendant, shall be commenced in any of said justices' courts, there shall be paid to the clerk of said courts, by the party commencing the same, an entry fee of one dollar, and before the trial of any such action or
Judgment fee.	proceedings shall be commenced, such party shall pay a judgment fee of one dollar; but in case of non-suit before the commencement of trial, no judgment fee shall be required.
Garnishment, how treated.	Proceedings in garnishment shall be treated as part of the principal cause, and no additional fees shall be required therein, except when an issue of fact shall be joined in respect to the liability of a garnishee or garnishees; in such cases a judgment fee of one dollar shall be paid before such trial shall commence. The fees provided for in this section shall
Fees to be in full for services.	be in full for all services and proceedings by and before said justices, to and including the issuing of execution upon judgment therein, and shall be taxed in favor of the party paying the same if he be the prevailing party in the suit. For all services and proceedings subsequent to the issuing of the execution, or for the purpose of staying proceedings, or removing causes to an appellate court, there shall be paid to
Fees for staying proceedings.	the said clerk the fees provided by law: Provided, That in all causes where the cause of action is for personal work and labor of the plaintiff or any member of his or her family, upon filing with the clerk of said justice court an affidavit showing that such claim or cause of action is brought for such personal work and labor as aforesaid, such action shall within the discretion of the court be commenced and prosecuted to judgment without the payment of any entry fee or judgment fee, as herein required in other causes, but that the costs which shall accrue in such cause of action, including the entry and judgment fee, as in other causes shall be taxed in favor of the prevailing party.
Proviso.	

SEC. 10. If any party to a cause before either of said justices shall demand a trial by jury, he shall pay the fees therefor in advance, and the sum shall be disposed of by the clerk in the manner now provided by law; and the moneys paid for jurors shall be taxed as costs in favor of the party paying the same, if he be the prevailing party in the suit, in addition to such other costs as he may be entitled to recover. And that in addition to all other costs there may be, in the discretion of the justice trying said cause, with or without a jury, taxed as attorney fee in favor of the prevailing party, not exceeding the sum of five dollars.

Fees for jury trial.

Taxed as costs.

Additional costs.

SEC. 15. The justices of the peace of said city shall file their oaths of office in the office of the clerk of the county of Kent, and shall have in addition to the duties conferred by this act on them, the same jurisdiction, powers and duties conferred on justices of the peace in townships, and that in all civil causes the said justices of the peace shall have concurrent jurisdiction to the amount of five hundred dollars.

Justices to file oaths.

Same powers as township justices.

This act is ordered to take immediate effect.

Approved May 21, 1901.

[No. 439.]

AN ACT to regulate the operation of electric cars within the county of Bay.

The People of the State of Michigan enact:

SECTION 1. That immediately upon the passage of this act it shall be the duty of every person, company and corporation operating electric cars within the county of Bay, to equip all double truck cars, cars hauling freight or trailer cars with an electric air brake of the latest and most approved kind in common use on electric cars, as will effectually control the speed of such cars, or such kind as may be approved by the common council or trustees of the city or village in which such person, company or corporation is operating: Provided, That if any person, company or corporation shall operate electric cars in more than one of either or both any city or village, then such electric or air brakes may be approved by the common council or trustees of the city or village, in which the principal office of management of the line, upon which such cars are operated, shall be located: Provided, That in cities and villages having a board or commission of electric control, or its equivalent, such approval shall be by such board or commission, or its equivalent.

Cars to be equipped with air brakes.

Proviso as to approval.

Proviso as to cities having board of electric control.

When to be equipped.	lent; and no electric car of the kind and dimensions hereinbefore described, shall be run or operated by any person, company or corporation, from and after the first day of July, nineteen hundred and one, unless the same be equipped with an air brake or electrical device as will effectually control the speed and stoppage of such cars.
Not released from liability.	SEC. 2. Nothing in this act shall be deemed or construed as a waiver or release from liability of any person, company or corporation or to attach any liability to any city or village by reason of any city or village or their respective council, trustees, boards or commissions approving any electric or air brake, as provided in section one hereof, for any damage or injury which shall be sustained by any person by reason of such electric or air brake proving ineffectual from any cause. Any person, company or corporation neglecting or refusing to comply with the provisions of this act shall be liable for all damages which shall be sustained by any person by reason of such neglect or refusal; and every person, company or corporation which shall permit any electric car to be run or operated without being equipped, as provided in section one hereof, shall forfeit for every car so run or operated the sum of one hundred dollars, for the recovery of which such person, company or corporation shall be liable in an action brought by the prosecuting attorney of each county in which such car shall be run or operated; such action to be for and on behalf of the people of the State, and the penalty, when recovered, to be paid into the treasury of the State.
Penalty for refusal to comply with act.	
Repealing clause.	SEC. 3. All acts or parts of acts inconsistent with or contravening the provisions of this act are hereby repealed. This act is ordered to take immediate effect. Approved May 22, 1901.

[No. 440.]

AN ACT to authorize the city council of the city of Manistee, Michigan, to submit to the qualified electors of said city, at a special election to be held for that purpose, a proposition of acquiring by purchase or construction the necessary grounds and works for the purpose of supplying the city of Manistee and the inhabitants thereof with gas or electric lights; and to authorize said city of Manistee to construct, purchase, own and maintain a system of gas or electric light works, and to provide means of constructing or purchasing, maintaining and managing the same.

The People of the State of Michigan enact:

SECTION 1. For the purpose of constructing or purchasing, owning and maintaining a system of gas or electric light works for the use of the city of Manistee and the inhabitants thereof, the city council of said city is hereby authorized to submit to the electors, qualified as hereinafter mentioned, of said city, at a special election to be called for that purpose, the proposition to raise a sum of money not exceeding one hundred twenty-five thousand dollars by loan, at a rate of interest not exceeding four per cent per annum, to be voted upon by ballot. Said special election shall be called, conducted, managed, and the votes canvassed and returns made in accordance with the provisions of the charter of the said city of Manistee, except that at said election only electors owning property in said city liable for the payment of taxes shall be entitled to vote.

Question of
owning, etc.,
lighting plant,
submitted
to electors.

SEC. 2. If such proposition be approved by majority vote of said electors voting at said election, the city council of said city, at any time thereafter, may construct or purchase and own said system of gas and electric light works, to be so constructed or acquired and make such loan, or so much thereof as may be necessary to pay for said gas or electric light works, to be constructed or purchased, and issue the bonds of said city for the payment thereof, with interest thereon, said bonds to mature within such times as may be fixed by said city council, but not to exceed thirty years.

When council
may issue
bonds for.

SEC. 3. The management and control of said system of gas or electric light works when so constructed or purchased and owned by said city of Manistee, shall be vested in such board or boards as the city council shall by ordinance determine.

Management
of.

This act is ordered to take immediate effect.

Approved May 22, 1901.

[No. 441.]

AN ACT to authorize the township of Decatur, in the county of Van Buren, to borrow money to be used for public improvements, and to issue bonds therefor.

The People of the State of Michigan enact:

Township may borrow money.	SECTION 1. That the township of Decatur, in the county of Van Buren, is hereby authorized and empowered to borrow money on the faith and credit of said township, and to issue bonds therefor to an amount not exceeding ten thousand dollars, which shall be used for public improvements within said township: Provided, That a majority of the electors of said township, voting at an election to be called in compliance with the provisions of this act, shall vote in favor of such loan in the manner specified in this act, and not otherwise.
Proviso.	
Question submitted to electors.	SEC. 2. The question of raising said money by loan shall be submitted by the township board aforesaid to the electors of said township, and the vote shall be taken as near as may be in accordance with the provisions of the statute concerning elections, and the said township board shall have power to order a special election to carry out the provisions of this act; and the proceedings had at such special election shall be the same as at general elections held within such township, except that those electors voting for said loan shall have written or printed on their ballot the words, "For the loan, Yes," and those voting against the loan shall have written or printed on their ballots the words, "For the loan, No."
Form of ballot.	
When may issue bonds.	SEC. 3. If such loan shall be authorized by a majority vote of such electors, said bonds may be issued in such sums, not exceeding the amount hereinbefore limited, and payable at such time and with such rate of interest, not exceeding six per centum per annum, as the said township board shall direct, and shall be signed by the supervisor of said township and countersigned by the clerk of said township, and registered by or under the direction of said township board, and the money arising therefrom shall be appropriated in such manner as the said township board may determine for the purposes aforesaid, and the said township board shall have power and it shall be their duty to raise by tax upon the taxable property of said township such sum or sums as shall be sufficient to pay the amount of said bonds and the interest thereon, as fast as the same shall become due. Said bonds shall be payable in not less than five years nor exceeding thirty years, and shall not be negotiated at less than their par value. The township board are hereby empowered to use the excess of said contingent fund of said
Money, how raised.	
Bonds, when payable.	

township, accruing as aforesaid, in the payment of said bonds.

This act is ordered to take immediate effect.

Approved May 22, 1901.

[No. 442.]

AN ACT to re-incorporate the city of Menominee, to provide for the election and appointment of officers therein, and to repeal act number two hundred and twenty-eight of the session laws of one thousand eight hundred and eighty-three, entitled "An act to incorporate the city of Menominee," and to repeal act number two hundred and eighty-one of the session laws of one thousand eight hundred and ninety-one, entitled "An act to revise and amend the charter of the city of Menominee," being act two hundred and twenty-eight of the session laws of one thousand eight hundred and eighty-three, entitled "An act to incorporate the city of Menominee," approved April nine, one thousand eight hundred and ninety-one, and all amendments thereto.

The People of the State of Michigan enact:

TITLE I.

CITY BOUNDARIES AND INCORPORATION.

SECTION 1. That the following described territory, to wit: ^{Territory} All of fractional township thirty-one north, fractional section ^{incorporated.} twenty-six, section twenty-seven, section thirty-four and fractional section thirty-five of township thirty-two north, all in range twenty-seven west; also all that portion of the Menominee river, of Green bay and of Lake Michigan lying between the said lands and the boundary line of the State of Michigan shall be and the same is hereby incorporated into, made, constituted and organized into a city to be known as the city of Menominee.

SEC. 2. The city shall be a body politic and corporate under ^{Body politic.} and by the name of the city of Menominee; and by such name may sue and be sued, contract and be contracted with, acquire and hold real and personal property for the purposes for

which it is incorporated, have a common seal and change the same at pleasure and exercise all the powers in this act conferred.

Judicial
notice.

SEC. 3. Judicial notice shall be taken in all courts and proceedings in this State of the existence of the city of Menominee as incorporated under this act and of all changes at any time made in the corporate limits of the said city by the annexation of territory thereto or otherwise and of the boundaries of all wards and of all changes made at any time in the boundaries of any ward in the city.

Ordinances,
etc., to remain
in force.

SEC. 4. All ordinances, by-laws and resolutions now in force in this city and not inconsistent herewith shall continue in full force and effect until repealed or amended by the city council.

Rights and
liabilities,
how vested.

SEC. 5. All rights and property of any kind and description which are now vested in this city under its present organization, shall, subject to this act, be deemed and held to be vested in the city under this act and no rights or liabilities either in favor of or against this city existing at the time of its incorporation under this act, and no suit or prosecution of any kind shall be in any manner affected by such change, but the same shall stand or progress as if no such change had been made, and all debts and liabilities of the former corporation shall be deemed to be the debts and liabilities of the new corporation, and all taxes levied and uncollected at the time of such change shall be collected the same as if such change had not been made: *Provided*, That when a different remedy is given under this act which can be made applicable to any rights existing at the time of the incorporation of the city under this act, the same shall be deemed cumulative to the remedy before provided and may be used accordingly.

TITLE II.

WARDS.

Wards.

SECTION 1. The city shall remain divided into seven wards as at present except that the council may change the boundary thereof when deemed necessary to equalize the number of inhabitants.

Purpose for
which city
regarded a
township.

SEC. 2. For the purpose of assessing and levying taxes in the city, for the purpose of equalizing such assessments by the board of review and for equalizing the same as to State and county taxes by the board of supervisors and for collecting taxes and returning property for the non-payment thereof, the whole city shall be regarded as a township, and the city treasurer shall perform the same duties and shall have the same powers as township treasurer as far as it may be necessary to faithfully perform his duties as such treasurer.

SEC. 3. No election of aldermen or ward officers shall be held in any newly established ward, or in any ward, on account of changes in the boundaries thereof, previous to the next annual city election; nor shall the office of any alderman or other officer elected in any ward be vacated by reason of any change in such ward; but any such alderman and other officer shall, during the remainder of his term, continue in office and to represent the ward including the place of his residence at the time of the change of the boundaries of the ward, unless the office become vacant for some other cause.

Election of aldermen in new ward, etc.

SEC. 4. When by the creation of a new ward two aldermen are to be elected therein at the same time, one of them shall be elected for one year, and one for two years and the term of each shall be designated on the ballot.

Term when two aldermen elected.

TITLE III.

ELECTORS AND REGISTRATION.

SECTION 1. The inhabitants of said city incorporated under this act having the qualifications of electors under the constitution of this State and no others shall be electors therein and every elector shall vote in the ward or election district where he shall have resided during the twenty days next preceding the day of election and the residence of any elector, not being a householder, shall be deemed to be in the ward or election district in which is located his regular place of lodging.

Qualifications of electors.

SEC. 2. Whenever there shall be more than six hundred and fifty electors in any ward of said city according to the poll list of the last preceding election, the council shall cause such ward to be divided into two or more voting districts. The manner of making such division, the creation of election inspectors and board of registration therein, and all matters pertaining to such division and the holding of elections in such districts not covered by the provisions of this chapter shall be provided for by the council making such division.

When ward divided into voting precincts.

REGISTRATION.

SEC. 3. The aldermen of each ward shall constitute the board of registration therein, except as in this act otherwise provided. If, by reason of a change of boundary of any ward, or the formation of a new ward, or the formation of more than one election district in a ward, or other cause, there shall not be any or a sufficient number of aldermen representing such ward or residing within each election district, to constitute a board of registration of two persons, the council shall supply the vacancy or appoint a board of registration for the ward or election district. The members composing

Who to constitute board of registration.

Compensation.

such board of registration shall receive three dollars per day as compensation.

Duty when wards divided into voting districts, etc.

SEC. 4. When changes shall be made in any ward or wards, or a new ward shall be formed in whole or in part from the territory of other wards, or when a ward shall be divided into voting districts, the boards of registration of the respective wards or voting districts affected by the change shall meet previous to the time prescribed by law for giving notice of their sessions preceding the next election, and the name of each registered elector known to have been transferred by such change from one ward to another ward, or to a new ward, or from one voting district to another, shall be copied into the register of the ward or district to which the transfer was made, and be stricken from the register of the ward or district from which the elector was transferred by the change.

When to make new register of electors.

SEC. 5. When a new ward or voting district shall be formed, the board of registration thereof, at its session next preceding the next election therein, shall make or complete a new register of the electors residing therein, and for that purpose shall remain in session two days, and notice of the formation of such ward or district, and that a new register of the electors will be made at that session shall be given with the notice required by law to be given of such session of the board.

When wards to constitute election district. Sessions of board of registration.

SEC. 6. Each ward, unless otherwise subdivided shall be an election district. On the Saturday next preceding a general election and on the Saturday next preceding the day of the regular city election, or any special election, and on such other days as shall be appointed by the council, not exceeding three days in all, previous to any such election the several boards of registration for the city, except as in this act otherwise provided, shall be in session at such places in their several wards as shall be designated, as hereinafter provided, from eight o'clock in the forenoon until eight o'clock in the afternoon for the purpose of completing the list of the qualified voters; during which session it shall be the right of each person then actually residing in the ward or voting district, and who, at the then next approaching election may be a qualified elector and whose name is not already registered to have his name entered in the registration of such ward or voting district.

Council to fix place of meeting.

SEC. 7. At least two weeks previous to the commencement of any such session of the several boards of registration, the council shall fix the place in each ward and voting district of the city where the board of registration will meet, and at least eight days before such session of the board the city clerk shall give notice by hand bills posted in ten public places in each ward or voting district, and by publication in one or more newspapers printed in the city, of the time and place in each ward or voting district when and where the board of registration for such ward and voting district will meet. Except as in this act otherwise provided, the general laws of this

Clerk to give notice.

State relating to the registration of electors in cities shall apply to the registration of electors in said city.

SEC. 8. The boards of registration in said city at their sessions previous to the general election in November in the year one thousand nine hundred four, shall make a re-registration of the qualified electors of their respective wards, in books of the form provided by law. The same rules shall be observed in such re-registration as are provided by law for the registration of electors in cities; and a like re-registration of the electors of each ward shall be made at the session of the board next preceding the general election every fourth year thereafter. When such new registry shall be made the former registry of electors shall not be used, nor shall any person vote at any election in such ward after such re-registration unless his name shall be registered in such new register. Notice that such re-registration is required to be made shall be given with the notice of the meeting or session of the board at which it is to be made.

Re-regis-
tration, when
made.

Notice of.

TITLE IV.

ELECTIONS.

SECTION 1. An election shall be held in each ward annually, on the first Monday in April, at such place as the council shall designate, and the city clerk shall cause printed notices of the holding of such election to be posted at least ten days previous thereto, in three of the most public places in each ward and by publishing a copy thereof for the same length of time before the election in one or more newspapers published in the city.

Annual
election.

Notice, how
given.

SEC. 2. The council may order special elections to be held; in which case the city clerk shall, twenty days previous thereto, deliver to the inspectors of election in the ward or wards where such special election is to be held, a notice specifying the officers to be chosen, the object or question to be voted upon, and the day and place at which such election will be held, and he shall at least twice before the day of such special election, publish said notice in one of the newspapers of the city.

Special
election.

Notice of.

SEC. 3. Such annual or special election shall be held and conducted in the manner provided by the laws of this State for holding general elections, except as is by this act otherwise provided.

How con-
ducted.

SEC. 4. The council shall provide suitable ballot boxes for each ward, with locks and keys, in which to deposit the ballots offered at any election, of the kind required by law to be kept and used in townships.

To provide
ballot boxes,
etc.

SEC. 5. On the day of any election held by authority of this act, the polls shall be opened in each ward at the several places designated by the council at seven o'clock in the morn-

Polls, when
opened and
closed.

ing and shall be kept open until five o'clock in the afternoon at which time they shall be finally closed.

Who to constitute board of inspectors.

SEC. 6. The two aldermen of each ward when eligible and the supervisor of the ward shall, except as in this act otherwise provided, constitute the board of inspectors of election. If by reason of the formation of new wards or by a change in the boundaries of existing wards or the creation of more than one election district therein, or for any reason there shall not be a sufficient number of the officers last named in any ward or district to make a board of three inspectors for each election district, it shall be the duty of the council, at least one week before the election, to appoint a sufficient number of inspectors who, with the officers above named, if any, residing in the ward or election district shall constitute a board of three inspectors for the ward or district, and if at any election any of the inspectors above provided for shall not be present, or remain in attendance the electors may choose, viva voce, such number of electors as with the inspector or inspectors present shall constitute a board of three in number, and such electors so chosen shall be inspectors at that election, during the continuance thereof. Each inspector of the election shall receive four dollars per day as compensation.

Compensation.

Chairman of election board.

Compensation of clerks, gatekeepers, etc.

To subscribe oath.

Inspectors of general elections.

General laws to govern.

Council to appoint election commissioners.

SEC. 7. The senior alderman of each ward shall be chairman of the election board. The board shall appoint two clerks who shall receive three dollars per day, and two gatekeepers who shall receive two dollars per day, who shall be qualified electors, and each person chosen or appointed as inspector, clerk or gate-keeper of election, shall take the constitutional oath of office, which oath either of the inspectors may administer.

SEC. 8. The inspectors of election, as specified in the last two sections, shall also be inspectors of State, county and district elections in their respective wards or voting districts.

SEC. 9. All elections held under the provisions of this act, shall be conducted, as nearly as may be, in the manner provided by law for holding general elections in the State, except as herein otherwise provided; and the inspectors of such elections shall have the same powers and authority for the preservation of order, and for enforcing obedience to their lawful commands during the time of holding the election and the canvass of the votes, as are conferred by law upon inspectors of general elections, held in this State.

SEC. 10. The council shall, at least ten days previous to any election, appoint a board of three election commissioners, not more than two of whom shall belong to the same political party, who shall be the board of election commissioners for such city for such election, and they shall perform such duties relative to the preparation and printing of ballots as are re-

quired by law of the boards of election commissioners of counties.

SEC. 11. The electors shall vote by ballot. Such ballot shall be prepared and furnished by the board of election commissioners as provided by the general election laws of the State, and shall contain the names of all officers to be voted for, and all matters touching the form and contents of the ballot and the casting and canvassing of the same, and all other matters touching elections shall be governed by the general election laws of the State, when not inconsistent with the provisions of this act.

Electors to
vote by
ballot.

SEC. 12. The council shall convene on Thursday next succeeding each election, at their usual place of meeting, and determine the result of the election upon each question and proposition voted upon, and what persons are duly elected at the said election to the several offices respectively; and thereupon, the city clerk shall make duplicate certificates under the corporate seal of the city, of such determination, showing the result of the election upon any question or proposition voted upon, and what persons are declared elected to the several offices respectively; one of which certificates he shall file in the office of the county clerk, in the county in which the city is located, and the other shall be filed in the office of the city clerk.

Meeting of
council to
confirm
election.

Certificate to
be filed with
county clerk.

SEC. 13. The person receiving the greatest number of votes for any office in said city or ward shall be deemed to have been duly elected to such office; but, if two or more persons shall receive an equal number of votes for any office, the council shall appoint a day, if the candidates be not then present, for the appearance before them of all such persons, for the purpose of determining, by lot, the right to such office, and shall cause notice thereof to be given to all such persons interested. At the time appointed such persons shall draw lots for such office before the council in the same manner, as near as may be, as is prescribed by law for the drawing of lots by candidates for members of the legislature, and the person successful in the lot shall be declared duly elected.

Who deemed
elected.

In case of
tie vote.

To cast lots.

TITLE V.

OFFICERS.

SECTION 1. At each annual election hereafter held in said city there shall be elected on the city ticket by the qualified voters of the whole city, a mayor and a city treasurer who shall hold their office for one year, but no person shall be eligible for the office of city treasurer for more than two consecutive years. The justices of the peace now existing in said city shall hold their office until the term for which they were elected shall have expired; and thereafter there shall

Officers to be
elected.

	be elected annually one justice of the peace so that there shall be four justices in said city. There shall be elected in each ward at each annual election hereafter held, one alderman for the term of two years and one supervisor for the term of one year. The officers elected under the provisions of this section shall enter upon the duties of their office on the second Monday in April of each year when elected and hold the same for the term of one year and until their successors are qualified and enter upon the duties of their office except as herein otherwise provided.
When to enter upon duties.	
Term of office.	
Council to elect certain officers.	<p>Sec. 2. On the first Monday in May of each year hereafter or as soon thereafter as may be, the council shall elect a city attorney, a chief of police, a city clerk, a city engineer, a street commissioner, a sewer inspector, a health officer, who shall be a regular practicing physician, and a chief of the fire department. The board of assessors now existing in said city shall hold their office until the term for which they were elected shall have expired and thereafter the council at its first regular meeting in the month of January of each year shall elect one assessor for three years, so that there shall be a board of three assessors in said city. The council may also from time to time provide by ordinance for the election by the council for such term as may be provided in the ordinance of such other officers, whose election or appointment is not herein specially provided for, as the council shall deem necessary for the execution of the powers granted by this act, who shall hold their office from the second Monday in May after their appointment, except street commissioner who shall hold his office during the pleasure of the council. The powers and duties of such officers shall be prescribed by ordinance except as herein otherwise provided for. Whenever any officer elected under the provisions of this act shall, from any cause, be unable to perform the duties of his office, the mayor, by and with the consent of the council, shall have power to appoint an officer who shall perform the duties of such officer until such inability shall cease.</p>
May provide for election of additional officers by ordinance.	
Street commissioner, term of office.	
When mayor to appoint.	
Vacancy, how filled.	<p>Sec. 3. In case a vacancy shall occur in any of the offices in this act declared to be elective or appointive, except justice of the peace, the mayor may by and with the consent and approval of a majority of all the aldermen elect fill such vacancy by the appointment of a suitable person, and any officer appointed to fill a vacancy, if the office is elective, shall hold by virtue of such appointment only until the next general city election and if the elective office which shall have become vacant was one of that class whose term of office continued after the next annual election, a successor for the unexpired term shall be elected at the next annual election.</p>
Who eligible to office.	<p>Sec. 4. No person shall be eligible to any office in said city unless he shall then be a resident and qualified elector of said city, and if elected or appointed for a ward he must be an elector and resident thereof. No person shall be elected</p>

or appointed to any office in the city who has been or is a defaulter to the city or to any board of officers or to any school district, county or other municipal corporation of the State. All votes for or any appointment of any such defaulter shall be void.

SEC. 5. If any officer shall be a defaulter or shall cease to be a resident of the city or if elected in or for a ward, shall remove therefrom during his term of office, the office shall thereby be vacated.

Upon removal,
etc., office
deemed
vacated.

SEC. 6. Resignation by any officer authorized to be chosen by this act, shall be made to the council subject to their approval and acceptance: *Provided*, The resignation or removal of any officer shall not, nor shall the appointment or election of another to the office, exonerate such officer or his sureties from any liabilities incurred by him or them.

Resignation,
how made.

Proviso.

SEC. 7. Whenever any officer shall resign or be removed from office or the term for which he shall have been elected or appointed shall expire, he shall on demand, deliver over to his successor in office, or in case no officer shall have been elected or appointed to succeed him then to the city clerk, all the books, papers, moneys and effects in his custody as such officer and in any way appertaining to his office; and every person wilfully violating this provision shall be deemed guilty of a misdemeanor and may be proceeded against in the same manner as public officers may be proceeded against for the like offense, under the general laws of this State now or hereafter enforced and applicable thereto; and every officer chosen under this act shall be deemed an officer within the meaning and provisions of such general laws of the State.

To deliver
books, etc., to
successor.

Violation a
misdemeanor.

SEC. 8. All officers elected or appointed in the city shall within ten days after receiving notice of their election or appointment take and subscribe the oath of office prescribed by the constitution of the State and file the same with the city clerk, and all officers elected or appointed in the city before entering upon the duties of their office and within the time prescribed for filing their official oath, shall file with the city clerk such bond or security as may be required by law or by any ordinance or requirement of the council and with such sureties as shall be approved by the council, for the due performance of the duties of their office except that the bond or security of the city clerk shall be deposited with the city treasurer.

Duty upon
receipt of
notice of
election.

SEC. 9. It shall be the duty of the clerk of said city as soon as practicable and within two days after the election or appointment of any officer or officers to notify such officers respectively of their election or appointment. Within one week after the expiration of the time in which any official bond or oath of office is required to be filed, the city clerk shall report in writing to the council, the names of the persons elected or appointed to any office who shall have neglected to file such oath and requisite bond or security for the performance

Clerk to
notify persons
elected or
appointed.

To notify
council of
persons neg-
lecting to
file oath,
bond, etc.

of the duties of the office, and the council may declare the office vacant, unless previous thereto, he shall file and give the requisite bond or security.

Sufficiency of
bond, how
determined.

SEC. 10. The council or the mayor or other officer whose duty it shall be to judge of the sufficiency of the proposed sureties of any officer or person of whom a bond or any security may be required by this act or by any ordinance or direction of the council shall inquire into the sufficiency of such sureties and may examine them under oath as to their property. Such oath may be administered by the mayor or by any alderman or other person authorized to administer oaths. The examination of any such sureties shall be reduced to writing and be signed by him and annexed to and filed with the bond or instrument to which it relates.

May require
new bonds.

SEC. 11. The council may also at any time require any officer whether elected or appointed, to execute and file with the city clerk new official bonds in the same or in such further sums and with new or such further sureties as said council may deem requisite for the interest of the corporation. Any failure to comply with such requirement shall subject the officer to immediate removal by the council.

TITLE VI.

QUALIFICATIONS, DUTIES AND COMPENSATION OF OFFICERS.

MAYOR.

Qualifications
and duties of
mayor.

SECTION 1. The chief executive officer of the city shall be a mayor who shall be a citizen of the United States, a resident and a qualified voter of said city. He shall preside at the meetings of the council and may from time to time give the council information concerning the affairs of the city and recommend such measures as he may deem expedient, and shall be ex officio, a member of the board of supervisors of Menominee county and shall have the same powers and exercise the same duties as supervisors elected in townships except as to the assessment of taxes. It shall be his duty to exercise supervision over the several departments of the city government, countersign all orders drawn upon the city treasurer and see that the laws relating to the city and the ordinances and regulations of the council are enforced.

To be a con-
servator of
the peace.

SEC. 2. The mayor shall be a conservator of the peace and may exercise within the city the powers conferred upon sheriffs to suppress disorders; and shall have authority to command the assistance of all able bodied citizens to aid in the enforcement of the ordinances of the council and to suppress riot and disorderly conduct.

SEC. 3. The mayor may remove or suspend any policeman or night watchman for neglect of duty at any time. He shall have authority at all times to examine and inspect the books, records and papers of any agent, employee or officer of the corporation, and shall perform generally all such duties as are or may be prescribed by the ordinances of the city.

May remove policeman, etc.
Examine books.

SEC. 4. During the temporary absence or disability of the mayor, or in case of any vacancy in his office, the president pro tempore of the council shall act as mayor, and during such absence or disability or vacancy shall possess the powers of the mayor and perform his duties except that he shall not appoint or remove from office any person in the administrative service of the city unless such absence or disability continues for a period of at least sixty days.

When president pro tempore to act.

CITY CLERK.

SEC. 5. The city clerk shall keep the corporate seal, and all the documents, official bonds, papers, files and records of the city, not by this act or the ordinances of the city entrusted to some other officer; he shall be clerk of the council; shall attend its meetings, record all its proceedings, ordinances and resolutions, and shall countersign and register all licenses granted; he shall when required, make and certify under the seal of the city, copies of the papers and records filed and kept in his office; and such copies shall be evidence in all places of the matters therein contained to the same extent as the original would be; he shall possess and exercise the powers of a township clerk, so far as the same are required to be performed within the city; and he shall have authority to administer oaths and affirmations.

Powers and duties.

SEC. 6. The clerk shall be the general accountant of the city; and all claims against the corporation shall be filed with him for adjustment, and, after examination thereof, he shall report the same with all accompanying vouchers and counter claims of the city, and the true balance as found by him, to the council, for allowance, and when allowed shall draw his warrant upon the treasurer for the payment thereof, designating thereon the fund from which payment is to be made, and take proper receipts therefor, but no warrant shall be drawn upon any fund after the same has been exhausted. When any tax or money shall be levied, raised or appropriated, the clerk shall report the amount thereof to the city treasurer, stating the objects and funds for which it is to be levied, raised or appropriated, and the amounts thereof to be credited to each fund.

To be general accountant.

SEC. 7. The clerk shall exercise a general supervision over all officers charged in any manner with the receipt, collection and disbursement of the city revenues and over all the property and assets of the city; he shall have charge of all books, vouchers and documents relating to the accounts, con-

To exercise supervision over certain officers.
Have charge of books, etc.

tracts, debts, and revenues of the corporation; he shall countersign and register all bonds issued, and keep a list of all property and effects belonging to the city, and of all its debts and liabilities; he shall keep a complete set of books, exhibiting the financial condition of the corporation in all its departments, funds, resources and liabilities, with a proper classification thereof and showing the purpose for which each fund was raised; he shall also keep an account with the treasurer, in which he shall charge him with all moneys received for each of the several funds of the city, and credit him with all the warrants drawn thereon keeping a separate account with each fund; when any fund has been exhausted the clerk shall immediately advise the council thereof.

To make detailed statement.

SEC. 8. The clerk shall report to the council whenever required a detailed statement of the receipts, expenditures and financial condition of the city, of the debts to be paid and moneys required to meet the estimated expenses of the corporation, and he shall publish for one week in a newspaper, printed in the city, all ordinances passed by the council.

Sealer of weights and measures.

SEC. 9. The clerk shall be the sealer of weights and measures for the said city, and shall perform all the duties of township clerk so far as the same applies to the sealing of weights and measures, and entitled to the usual fee for such service.

To appoint deputy.

SEC. 10. The clerk may, subject to the approval of the council appoint a deputy, who shall possess all the powers and authority of the city clerk, and may exercise all the duties thereof, subject to the control of such clerk, and such deputy shall be paid for his services by the clerk, unless otherwise provided by the council. The clerk shall be responsible for all the acts and defaults of such deputy, and he may remove such deputy at his pleasure.

How paid.

To be clerk of board of equalization.

SEC. 11. The city clerk shall be clerk of the board of equalization and review but shall have no vote thereon.

To perform other duties and give entire time to office.

SEC. 12. The city clerk shall perform such other duties as the council shall, by resolution or ordinance, prescribe, and such other duties as are prescribed by this act. He shall give his entire time to his office, and shall keep his office in the place provided by the council.

CITY TREASURER.

Duties of.

SEC. 13. The city treasurer shall have the custody of all moneys, bonds, mortgages, notes, leases and evidence of value belonging to the city, and shall be ex officio collector, and shall collect the State and county taxes and all other taxes and assessments levied within the city; he shall perform all such duties in relation to the collection of taxes as the laws of the State and the ordinances of the council may prescribe, and be subject to all the requirements of the general laws of the State relating to the collection of such State and county

taxes; and for that purpose shall give bonds to said city in such sum and with such surety or sureties as the council shall require and approve; and such treasurer shall also give to the treasurer of the county of Menominee, such further security as is or may hereafter be required by law of the several township treasurers of the several townships of this State; the city treasurer shall pay no money out of the treasury except in pursuance and by authority of law, and on a warrant signed by the city clerk and countersigned by the mayor, which shall specify the purpose for which the amount thereof is to be paid and the fund from which it is to be paid; and he shall keep an accurate account of and be charged with all the taxes and moneys appropriated, raised or received for each fund of the city, and shall keep a separate account for each fund, and shall pay every warrant out of the particular fund constituted or raised for the purpose for which said warrant was issued, and having the name of each fund endorsed thereon by the clerk. For the purpose of collection and return of all taxes, and the return of property delinquent for the non-payment of taxes, and for the purpose of suits for the collection of taxes, the said treasurer, on giving bonds or surety so required shall possess all the powers and perform all the duties of the several township treasurers of this State as prescribed by law, and shall perform such other duties respecting the collection and return of taxes as this act imposes.

To file bond.

How to pay out money.

To keep fund accounts.

To possess powers of township treasurer.

SEC. 14. The city treasurer shall, on receiving payment of any tax levied by the council and assessed against any person or property upon the tax roll of the city, make and execute duplicate receipts for such taxes showing the amount paid and describing the property upon which the same was paid, one of which shall be delivered to the person paying such tax, and the other shall be deposited with the clerk of said city.

To execute duplicate receipts for taxes.

SEC. 15. The city treasurer shall, while the tax roll remains in his hands for collection make and file with the city clerk daily a statement showing the amount of taxes collected by him each day with the number of the receipt given therefor.

To make daily statement of tax collected.

SEC. 16. The treasurer shall render to the council on the first Monday of every month and oftener if required, a report of the amounts received and credited by him to each fund, and on what account received, and the amounts paid out by him from each fund during the preceding month, and the amount of money remaining in each fund on the day of his report. The books and accounts of the treasurer shall at all reasonable hours be open to the inspection of any taxpayer of said city. The treasurer shall exhibit to the council at the last regular meeting in the month of March a full and fair account of the receipts and expenditures after the date of his or the last annual report, and also the state of the treasury, which accounts shall be referred to a committee ap-

Monthly report to council.

Books open for inspection.

Annual report, when made.

pointed by the council for examination, and if found to be correct, shall be filed and published.

To keep
moneys sep-
arate, etc.

SEC. 17. The city treasurer shall keep all moneys in his hands belonging to the city separate and distinct from his own moneys; and he is hereby prohibited from using either directly or indirectly, the corporation moneys, warrants, or evidences of debt, or any of the school or library funds in his custody or keeping, for his own use or benefit or that of any other person; any violation of this section shall subject him to immediate removal from office by the council, and the council is hereby authorized to declare the office vacant and to appoint his successor for the remainder of his term.

To furnish
numbers of
warrants
monthly.

SEC. 17a. The treasurer, on or before the tenth day of each month, shall furnish to the city clerk the numbers of all warrants paid or evidence of disbursements for previous month.

CHIEF OF POLICE.

Subject to
direction of
mayor.
Duties.

SEC. 18. The chief of police shall be subject to the direction of the mayor. It shall be his duty to see that all the ordinances and regulations of the council made for the preservation of quiet, good order, and for the safety and protection of the inhabitants of the city, are promptly enforced. As police officer he shall be vested with all the powers conferred upon sheriffs for the preservation of quiet and good order. He shall serve and execute all process directed or delivered to him, in all proceedings for violations of the ordinances of the city. Such process may be served anywhere within the State; and within the limits of the city any other process which by law a constable may serve.

To suppress
riots, etc.

SEC. 19. He shall suppress all riots, disturbances and breaches of the peace and for that purpose may command the aid of the citizens in the performance of such duty. He shall arrest all disorderly persons in the corporation and pursue and arrest any persons fleeing from justice in any part of the State. He shall arrest upon view and with or without process any person found in the act of committing an offense against the laws of the State or the ordinances of the city and forthwith take such person before the proper magistrate or court for examination or trial and may arrest and imprison persons found drunk in the streets or any public place in the city, until they shall become sober.

May arrest
upon view.

To report to
council.

SEC. 20. The chief of police shall report in writing and on oath to the council at their first meeting in each month, all arrests made by him, or any policeman under him, and the cause thereof, and all persons discharged from arrest during the month; also the number remaining in confinement for breaches of the ordinances of the city and the amounts of all fines and fees collected by him, or any policeman under him. All moneys collected or received by the chief of police, or any policeman, other than for the service of civil process,

shall be paid into the city treasury during the month when received and the treasurer's receipt therefor shall be filed with the city clerk.

SEC. 21. The chief of police may collect and receive the same fees for services performed by him in civil matters, as are allowed to constables for like services; but in no case shall fees be charged to or be paid by the city. May receive fees.

CITY ATTORNEY.

SEC. 22. The city attorney, in addition to the other duties prescribed in this act, shall be the legal adviser of the council and of all officers of the city, and shall act as the attorney and solicitor for the corporation in all legal proceedings in which the corporation is interested, and he shall prosecute for offenses against the ordinances of the city. Duties of.

SEC. 23. He shall, in addition, whenever thereto required by the council, render his opinion in writing for the information of the city officers, upon any matter affecting the legal business of the city, which opinion shall be filed in the office of the city clerk for reference and preservation. He shall be a member of the board of equalization and review of assessment rolls, but shall have no vote except in case of a tie, in the absence of the mayor when he shall cast the deciding vote. Idem. Member of board of equalization.

CITY ENGINEER.

SEC. 24. The city engineer shall have and exercise within the city, the like powers and duties as are conferred by law upon county surveyors; and the like effect and validity shall be given to his official acts, surveys and plats, as are given by law to the acts and surveys of county surveyors. He shall make all necessary plats, maps, surveys, diagrams and estimates, plans and specifications and perform such other duties in relation to his office as required by the council or officers of the city, relating to the public improvements, buildings, grounds and streets of the city, and all plats, maps, surveys and diagrams made by him as such city engineer shall be the property of the city, and shall be delivered by him to his successor in office. Powers and duties.

SEC. 25. The city engineer shall inspect all bridges at least once every year, and report in writing to the council the condition thereof. He shall examine all plans for bridges and certify his approval, or return them to the council with his objection thereto. To inspect bridges, etc.

STREET COMMISSIONER.

SEC. 26. It shall be the duty of the street commissioner to perform or cause to be performed all such labor, repairs, and improvements upon the highways, streets, sidewalks, alleys, bridges, reservoirs, drains, culverts, sewers, public Duty of.

pointed by the council for examination, and if found to be correct, shall be filed and published.

To keep
moneys sep-
arate, etc.

SEC. 17. The city treasurer shall keep all moneys in his hands belonging to the city separate and distinct from his own moneys; and he is hereby prohibited from using either directly or indirectly, the corporation moneys, warrants, or evidences of debt, or any of the school or library funds in his custody or keeping, for his own use or benefit or that of any other person; any violation of this section shall subject him to immediate removal from office by the council, and the council is hereby authorized to declare the office vacant and to appoint his successor for the remainder of his term.

To furnish
numbers of
warrants
monthly.

SEC. 17a. The treasurer, on or before the tenth day of each month, shall furnish to the city clerk the numbers of all warrants paid or evidence of disbursements for previous month.

CHIEF OF POLICE.

Subject to
direction of
mayor.
Duties.

SEC. 18. The chief of police shall be subject to the direction of the mayor. It shall be his duty to see that all the ordinances and regulations of the council made for the preservation of quiet, good order, and for the safety and protection of the inhabitants of the city, are promptly enforced. As police officer he shall be vested with all the powers conferred upon sheriffs for the preservation of quiet and good order. He shall serve and execute all process directed or delivered to him, in all proceedings for violations of the ordinances of the city. Such process may be served anywhere within the State; and within the limits of the city any other process which by law a constable may serve.

To suppress
riots, etc.

SEC. 19. He shall suppress all riots, disturbances and breaches of the peace and for that purpose may command the aid of the citizens in the performance of such duty. He shall arrest all disorderly persons in the corporation and pursue and arrest any persons fleeing from justice in any part of the State. He shall arrest upon view and with or without process any person found in the act of committing an offense against the laws of the State or the ordinances of the city and forthwith take such person before the proper magistrate or court for examination or trial and may arrest and imprison persons found drunk in the streets or any public place in the city, until they shall become sober.

May arrest
upon view.

To report to
council.

SEC. 20. The chief of police shall report in writing and on oath to the council at their first meeting in each month, all arrests made by him, or any policeman under him, and the cause thereof, and all persons discharged from arrest during the month; also the number remaining in confinement for breaches of the ordinances of the city and the amounts of all fines and fees collected by him, or any policeman under him. All moneys collected or received by the chief of police, or any policeman, other than for the service of civil process,

shall be paid into the city treasury during the month when received and the treasurer's receipt therefor shall be filed with the city clerk.

SEC. 21. The chief of police may collect and receive the same fees for services performed by him in civil matters, as are allowed to constables for like services; but in no case shall fees be charged to or be paid by the city. May receive fees.

CITY ATTORNEY.

SEC. 22. The city attorney, in addition to the other duties prescribed in this act, shall be the legal adviser of the council and of all officers of the city, and shall act as the attorney and solicitor for the corporation in all legal proceedings in which the corporation is interested, and he shall prosecute for offenses against the ordinances of the city. Duties of.

SEC. 23. He shall, in addition, whenever thereto required by the council, render his opinion in writing for the information of the city officers, upon any matter affecting the legal business of the city, which opinion shall be filed in the office of the city clerk for reference and preservation. He shall be a member of the board of equalization and review of assessment rolls, but shall have no vote except in case of a tie, in the absence of the mayor when he shall cast the deciding vote. Idem. Member of board of equalization.

CITY ENGINEER.

SEC. 24. The city engineer shall have and exercise within the city, the like powers and duties as are conferred by law upon county surveyors; and the like effect and validity shall be given to his official acts, surveys and plats, as are given by law to the acts and surveys of county surveyors. He shall make all necessary plats, maps, surveys, diagrams and estimates, plans and specifications and perform such other duties in relation to his office as required by the council or officers of the city, relating to the public improvements, buildings, grounds and streets of the city, and all plats, maps, surveys and diagrams made by him as such city engineer shall be the property of the city, and shall be delivered by him to his successor in office. Powers and duties.

SEC. 25. The city engineer shall inspect all bridges at least once every year, and report in writing to the council the condition thereof. He shall examine all plans for bridges and certify his approval, or return them to the council with his objection thereto. To inspect bridges, etc.

STREET COMMISSIONER.

SEC. 26. It shall be the duty of the street commissioner to perform or cause to be performed all such labor, repairs, and improvements upon the highways, streets, sidewalks, alleys, bridges, reservoirs, drains, culverts, sewers, public Duty of.

pointed by the council for examination, and if found to be correct, shall be filed and published.

To keep
moneys sep-
arate, etc.

SEC. 17. The city treasurer shall keep all moneys in his hands belonging to the city separate and distinct from his own moneys; and he is hereby prohibited from using either directly or indirectly, the corporation moneys, warrants, or evidences of debt, or any of the school or library funds in his custody or keeping, for his own use or benefit or that of any other person; any violation of this section shall subject him to immediate removal from office by the council, and the council is hereby authorized to declare the office vacant and to appoint his successor for the remainder of his term.

To furnish
numbers of
warrants
monthly.

SEC. 17a. The treasurer, on or before the tenth day of each month, shall furnish to the city clerk the numbers of all warrants paid or evidence of disbursements for previous month.

CHIEF OF POLICE.

Subject to
direction of
mayor.]
Duties.

SEC. 18. The chief of police shall be subject to the direction of the mayor. It shall be his duty to see that all the ordinances and regulations of the council made for the preservation of quiet, good order, and for the safety and protection of the inhabitants of the city, are promptly enforced. As police officer he shall be vested with all the powers conferred upon sheriffs for the preservation of quiet and good order. He shall serve and execute all process directed or delivered to him, in all proceedings for violations of the ordinances of the city. Such process may be served anywhere within the State; and within the limits of the city any other process which by law a constable may serve.

To suppress
riots, etc.

SEC. 19. He shall suppress all riots, disturbances and breaches of the peace and for that purpose may command the aid of the citizens in the performance of such duty. He shall arrest all disorderly persons in the corporation and pursue and arrest any persons fleeing from justice in any part of the State. He shall arrest upon view and with or without process any person found in the act of committing an offense against the laws of the State or the ordinances of the city and forthwith take such person before the proper magistrate or court for examination or trial and may arrest and imprison persons found drunk in the streets or any public place in the city, until they shall become sober.

May arrest
upon view.

To report to
council.

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shall be paid into the city treasury during the month when received and the treasurer's receipt therefor shall be filed with the city clerk.

SEC. 21. The chief of police may collect and receive the same fees for services performed by him in civil matters, as are allowed to constables for like services; but in no case shall fees be charged to or be paid by the city. May receive fees.

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SEC. 23. He shall, in addition, whenever thereto required by the council, render his opinion in writing for the information of the city officers, upon any matter affecting the legal business of the city, which opinion shall be filed in the office of the city clerk for reference and preservation. He shall be a member of the board of equalization and review of assessment rolls, but shall have no vote except in case of a tie, in the absence of the mayor when he shall cast the deciding vote. Idem. Member of board of equalization.

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STREET COMMISSIONER.

SEC. 26. It shall be the duty of the street commissioner to perform or cause to be performed all such labor, repairs, and improvements upon the highways, streets, sidewalks, alleys, bridges, reservoirs, drains, culverts, sewers, public Duty of.

grounds and parks within the city, as the council shall direct to be done by or under his supervision; and oversee and do whatever may be required of him in relation thereto by the council.

To report
monthly to
council.

SEC. 27. He shall make and report to the council in writing and on oath once in each month, giving an exact statement of all labor performed by him or under his supervision, and the charges therefor, the amount of material used and the expense thereof, and the street or place where such material was used or labor performed; and further showing the items and purpose of all expenses incurred since his last preceding report and no payment for services performed or for expenses incurred by him shall be paid until reported on oath as aforesaid.

CHIEF OF THE FIRE DEPARTMENT.

Subject to
direction of
mayor.
Powers and
duties.

SEC. 28. The chief of the fire department shall be subject to the direction of the mayor.

SEC. 29. The chief of the fire department, or other officer acting as such, may command any person present at a fire to aid in the extinguishment thereof and to assist in the protection of property thereat. If any person shall wilfully disobey any such lawful requirement or other lawful order of any such officer, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail for a period not exceeding ninety days, or by a fine not exceeding one hundred dollars, or by both such fine and imprisonment in the discretion of the court.

ALDERMEN.

To be members
of council, etc.

SEC. 30. The aldermen of the several wards of the city shall be members of the council and attend the meetings thereof and act upon committees when thereunto appointed by the mayor or council. As conservators of the peace they shall aid in maintaining quiet and good order in the city and in securing the faithful performance of duties by all officers of the city.

SUPERVISORS.

Powers and
authority of.

When to
qualify and
enter upon
duties.

Compensation.

SEC. 31. The supervisor of each ward in said city shall have and exercise within his ward all the powers, authority and functions of supervisors of townships excepting as herein otherwise provided; they shall qualify and enter upon the duties of their office within ten days after each annual election and each of said supervisors shall be members of the board of supervisors of the county of Menominee, and as members of said board of supervisors shall have all the power and authority, and shall receive the same compensation and shall be paid in the same manner as supervisors of townships, and they shall discharge and perform such other duties as by

this act shall be required of them: *Provided*, That in case any supervisors shall be temporarily absent from the city or from sickness or other cause shall be unable to act, the council shall appoint some suitable person, being a qualified elector of said ward, to discharge the duties of supervisor until such disability shall cease. The city clerk shall issue a certificate of such appointment under seal of the city which shall admit him as a member of the board of supervisors of said county of Menominee during such disability.

Proviso as to appointment in case of sickness, etc.

Certificate of appointment, who to issue.

BOARD OF ASSESSORS.

SEC. 32. The board of assessors shall be constituted of three free-holders of said city to be appointed by the council, as hereinbefore provided, and no person shall be appointed on said board who, at the time of his appointment, is a resident of any ward in said city wherein either of the remaining members of said board resides. The said board of assessors shall, acting together, perform the same duties in relation to the assessment of property, as near as may be, as are imposed by law upon supervisors elected in townships and they shall have like powers in relation thereto as such supervisors. It shall be their duty to assess all the real estate of said city from actual view, and in case of a disagreement the vote of any two members shall decide and govern the actions of the board. They shall be members of the board of equalization, but have no vote thereon, and shall have such further powers and perform such other duties as shall be herein or by ordinance of said city hereafter prescribed, and they shall severally be authorized to administer any and all oaths required in the performance of their various duties.

Qualifications, duties, etc.

To be members of board of equalization.

JUSTICES OF THE PEACE.

SEC. 33. The justices of the peace elected in said city under the provisions of this act shall have and exercise therein and within the county the same jurisdiction and powers in all civil and criminal matters, causes, suits and proceedings, and shall perform the same duties in all respects, so far as occasion may require, as are or may be conferred upon or required of justices of the peace by the general laws of the State. They shall have authority to hear, try and determine all actions and prosecutions for the recovery or enforcing of fines, penalties and forfeitures for violations of this act, and for encroachments upon and injuries to any of the streets, alleys and public grounds within the city, except in cases where jurisdiction is given to some other court. They shall have authority to hear, try and determine all suits and prosecutions for the recovery or enforcing of fines, penalties and forfeitures imposed by the ordinances of the city, and to punish offenders for violations of such ordinances as in the ordinances pre-

Powers and jurisdiction of.

Law governing.	scribed and directed, subject only to the limitations prescribed in section twenty-three, title eight, of this act.
To keep records, etc.	<p>Sec. 34. The proceedings in all suits and actions before said justices and in the exercise of the powers and duties conferred upon and required of them, shall, except as otherwise provided in this act, be according to, and be governed by, the general laws applicable to courts of justices of the peace, and to the proceedings before such officers.</p> <p>Sec. 35. Every justice of the peace shall enter in the docket kept by him the title of all suits and prosecutions commenced or prosecuted before him for violations of the ordinances of the city, and all the proceeding and the judgment rendered in every such cause, and the items of all costs taxed or allowed therein; and also the amounts and date of payment of all fines, penalties and forfeitures, moneys and costs received by him on account of any such suit or proceeding.</p>
To be open for examination.	<p>Such docket shall be submitted by the justice at all times to the examination of any person desiring to examine the same, and shall be produced by the justice to the council whenever required.</p>
Disposition of fines, penalties, etc.	<p>Sec. 36. All fines, penalties and forfeitures, collected or received by any justice of the peace, for or on account of violation of the penal laws of the State, and all fines, penalties, forfeitures and moneys collected or received by such justice, for or on account of violations of any ordinances of the city, shall be paid over by such justice to the city treasurer on or before the first Monday of the month next after the collection or receipt thereof, and the justice shall take the receipt of the city treasurer therefor, and file the same with the city clerk.</p>
Monthly report to council.	<p>Sec. 37. Every such justice shall report, on oath, to the council, at the first regular meeting thereof in each month, the name of every person against whom a prosecution has been commenced, or judgment rendered, for any of the fines, penalties or forfeitures mentioned in the preceding section, and the amount of all moneys received by him on account thereof, or on account of any such suit or prosecution, and the amount thereof paid to the city treasurer since the last preceding report.</p>
Fines for violation of penal laws, where paid. Expense of prosecution for violations of criminal laws, how paid.	<p>Sec. 38. All fines recovered for the violations of the penal laws of the State, when collected and paid into the city treasury, shall be disposed of as provided by law. The expenses of prosecutions before justices of the peace of the city for violations of said criminal laws, and in punishing the offenders, shall be paid by the county in which the city is located.</p>
To file bond, etc.	<p>Sec. 39. Every justice of the peace, in addition to any other security required by law to be given for the performance of his official duties, shall, before entering upon the duties of his office, give a bond to the city, in a penalty of one thousand dollars, with sufficient sureties, to be approved by</p>

the council, which approval shall be endorsed upon the bond, conditioned for the faithful performance of the duties of justice of the peace, within and for the city.

SEC. 40. Any justice of the peace who shall be guilty of misconduct in office, or who shall wilfully neglect or refuse to perform or discharge any of the duties of his office required by this act, or any of the ordinances of the city, shall be deemed guilty of a misdemeanor and punishable accordingly, and may be suspended from office by the council during its pleasure.

Misconduct in office a misdemeanor, how punished.

SEC. 41. Every justice of the peace of the city, shall account on oath to the council, at their first meeting in each month, for all such moneys, goods, wares and property seized or stolen property, as shall then remain unclaimed in his office; and shall make such disposition thereof as shall be prescribed by the ordinances of the city.

To account for moneys, etc., monthly.

ADDITIONAL OFFICERS.

SEC. 42. The council may also from time to time provide by ordinance for the appointment of, and appoint for such term as may be provided in the ordinance, such other officers whose election or appointment is not herein specially provided for, as the council shall deem necessary for the execution of the powers granted by this act, and may remove the same at pleasure. The powers and duties of all such officers shall be prescribed by ordinance.

Council may provide for appointment.

ADDITIONAL POWERS OF OFFICERS.

SEC. 43. In addition to the rights, powers, duties and liabilities of such officers prescribed in this act, all officers, whether elected or appointed, shall have such other rights, powers, duties and liabilities, subject to and consistent with this act, and with the general laws of this State, as the council shall deem expedient, and prescribe by ordinance or resolution.

Additional powers, etc.

COMPENSATION OF OFFICERS.

SEC. 44. The mayor and aldermen may each receive such salary, not exceeding fifty dollars per year, as may be prescribed by the council. The chief of police, city clerk, treasurer, city attorney, health officer and chief of the fire department shall each receive such annual salary as the council shall determine by resolution. The compensation of supervisors for all services performed by them in connection with the reviewing of assessment rolls shall be such as the council may from time to time determine. Justices of the peace and officers serving process and making arrests, may, when engaged in causes and proceedings for violations of the ordinances of the city, charge and receive such fees as are allowed

Compensation.

to those officers for like services by the general laws of the State. All other officers elected or appointed in the city, shall, except as herein otherwise provided, receive such compensation as the council shall determine.

Not to be
increased or
diminished.

SEC. 45. The salary or rate of compensation of any officer elected or appointed by authority of this act, shall not be increased or diminished during his term of office, after the same shall have been fixed by resolution as aforesaid, except that it shall be in the power of the council to limit the salaries of the city attorney and health officer to certain specified services, and to pay for other and further services when necessary; and no person who shall have resigned or vacated any office shall be eligible to the same office during the term for which he was elected or appointed, when during the same time the salary or rate of compensation has been increased by the council: *Provided however*, That aldermen and supervisors may receive in addition to their salaries such compensation as the council may allow them for services on the board of registration and as inspectors of election.

Proviso.

TITLE VII.

THE CITY COUNCIL.

POWERS AND DUTIES OF.

Legislative
authority,
how vested.

SECTION 1. The legislative authority of said city shall be vested in a council consisting of the mayor, two aldermen elected from each ward and the city clerk.

Who to be
president.

SEC. 2. The mayor shall be president of the council, and preside at the meetings thereof, but shall have no vote therein, except in case of a tie, when he shall have the deciding vote.

President
pro tempore,
when elected,
etc.

SEC. 3. On the first Monday in May in each year, the council shall elect one of their number president pro tempore of the council, who in the absence of the mayor, shall preside at the meetings thereof, and exercise the powers and duties of the president. He shall have a vote upon all questions, but he shall have no deciding vote in case of a tie. In the absence of the mayor and president pro tempore the council shall appoint one of their number to preside and for the time being he shall exercise the powers and duties of the president.

Clerk of
council.

SEC. 4. The city clerk shall be clerk of the council, but shall have no vote therein. He shall keep a full record of all the proceedings of the council, and perform such other duties relating to his office as the council may direct. In the absence of the clerk or his deputy the council shall appoint one of their number to perform the duties of clerk for the time being.

SEC. 5. Each alderman shall be required to attend all sessions of the council, and serve upon committees when appointed thereon. No alderman shall vote upon any question in which he shall have a direct personal interest, but on all other questions he shall vote unless excused therefrom by a vote of two-thirds of the aldermen elect.

Aldermen to attend sessions of council.

SEC. 6. The council shall be judge of the election returns and qualifications of its own members. It shall hold regular stated meetings for the transaction of business, at such times and places within the city as it shall prescribe, not less than one of which shall be held in each month. The mayor or any three members of the council may call special meetings thereof, notice of which, in writing, shall be given to each alderman, or be left at his place of residence at least six hours before the meeting.

To be judge of election returns, to hold stated meetings, etc.

SEC. 7. All meetings and sessions of the council shall be public. A majority of the aldermen shall make a quorum for the transaction of business; a less number may adjourn from time to time, and all pending business and business noticed or set down for hearing at such meeting shall be taken up and heard at such adjourned meeting without further notice, and the members present may compel the attendance of absent members in such manner as shall be prescribed by rules or ordinance. But no office shall be created or abolished, nor any tax or assessment be imposed, street alley or public grounds be vacated, real estate or any interest therein purchased, leased, sold or disposed of, or private property be taken for public use, unless by a concurring yeas and nays vote of two-thirds of all the aldermen elect; nor shall any vote of the council be reconsidered or rescinded at a special or regular meeting, unless there be present as many aldermen as were present when such vote was taken. No money shall be appropriated except by ordinance or resolution of the council; nor shall any resolution be passed or adopted except by the vote of a majority of all the aldermen elected to office, except as herein otherwise provided.

Meetings to be public. Quorum.

Office not to be created or abolished.

How money appropriated.

SEC. 8. The council shall prescribe the rules of its own proceedings, and keep a record or journal thereof. All votes shall be taken by yeas and nays and be so entered upon the journal so as to show the names of those voting in the affirmative and those in the negative, and within ten days after any meeting of the council, all the proceedings and votes taken thereat shall be published in one of the newspapers of the city.

To make rules, etc.

SEC. 9. The council may compel the attendance of its members and other officers of the city at its meetings in such manner, and may enforce such fines for non-attendance, as may by ordinance be prescribed; and may by ordinance prescribe punishment for any misbehavior, contemptuous or disorderly conduct by any member or any person present at any session of the council.

May compel attendance.

All officers to have seats in council.

SEC. 10. The city attorney and all elective and appointive officers shall have seats in the council, and may take part in all its proceedings and deliberations on all subjects relating to their respective departments, subject to such rules as the council shall from time to time prescribe, but without the right to vote. Said officers may be required to attend the meetings of the council in the same manner as members.

Additional powers and duties.

SEC. 11. The council, in addition to the powers and duties especially conferred upon them in this act, shall have the management and control of the finances, rights and interest, buildings and all property real and personal, belonging to the city, and may make such orders and by-laws relating to the same as they shall deem proper and necessary.

May enact ordinances.

SEC. 12. Whenever by this act or any other provisions of law any power or authority is vested in, or duly imposed upon, the corporation or council, the council may enact such appropriate ordinances as may be necessary for the execution and exercise of such power and authority, and to regulate the performance of such duty.

May appoint standing committees.

SEC. 13. The council may provide for the appointment of standing committees of its members, who shall perform such duties, investigate, have charge of, and report upon such matters as may be properly referred to them. Such committees shall be appointed by the mayor.

Official records, where kept, etc.

SEC. 14. The council shall cause all the records of the corporation, and of all proceedings of the council, and all books, documents, reports, contracts, receipts, vouchers, and papers relating to the finances and affairs of the city, or to the official acts of any officer of the corporation, unless required by this act to be kept elsewhere, to be deposited and kept in the office of the city clerk, and to be so arranged, filed and kept, as to be convenient of access and inspection and all such records, books and papers shall be subject to inspection by any inhabitant of the city or other person interested therein, at all seasonable times, except such parts thereof, as in the opinion of the council, it may be necessary for the furtherance of justice to withhold for the time being. Any person who shall secrete, injure, deface, alter, or destroy any such books, records, documents or papers, or expose the same to loss or destruction, with intent to prevent the contents or true meaning or import of the same from being known, shall on conviction thereof be punished by imprisonment in the State prison no longer than one year or by fine not exceeding one thousand dollars, or by both such fine and imprisonment in the discretion of the court.

To be subject to inspection.

Penalty for destruction of records.

Compensation.

SEC. 15. No member of the council shall receive any compensation for his services, either as alderman, committeeman or otherwise, except as herein provided.

Not to be interested in contract, etc.

SEC. 16. No member of the council or any officer of the corporation shall be interested, directly or indirectly, in the profits of any contract, job, work or service, other than

official services, to be performed for the corporation, and any member of the council or officer of said city, herein specified, offending against the provisions of this section, shall, upon conviction thereof, be fined not less than five hundred nor more than one thousand dollars, or be imprisoned in the county jail not less than one nor more than six months, or both, in the discretion of the court, and shall forfeit his office.

Penalty for violation.

SEC. 17. Any person appointed to office by the council under authority of this act may be removed therefrom by a vote of the majority of the aldermen elect; and the council may expel any alderman, or remove from office any person elected thereto, by a concurring vote of two-thirds of all the aldermen elect: *Provided*, That no removal of an elective or appointive officer shall be made unless a charge in writing is preferred, and an opportunity given to make a defense thereto.

Members, how removed.

Proviso as to charges.

SEC. 18. To enable the council to investigate charges against any officer, or such other matters as they may deem proper to investigate, the mayor, or any justice of the peace of the city, is empowered, at the request of the council, to issue subpoenas or process by warrant, to compel the attendance of persons and the production of books and papers, before the council, or any committee thereof.

May subpoena witnesses to investigate charges.

SEC. 19. Whenever the council, or any committee of the members thereof, are authorized to compel the attendance of witnesses for the investigation of matters which may come before them, the presiding officer of the council or chairman of such committee for the time being, shall have power to administer the necessary oaths.

Who may administer oaths.

SEC. 20. The council shall audit and allow all accounts chargeable against the city but no account or claim or contract shall be received for audit or allowance, unless it shall be accompanied with a certificate of an officer of the corporation, or an affidavit of the person rendering it, to the effect that he verily believes that the services therein charged have been actually performed or the property delivered for the city, that the sums charged therefor are reasonable and just, and that to the best of his knowledge and belief, no set-off exists, nor payment has been made on account thereof, except such as are endorsed or referred to in such account or claim, and every such account shall exhibit in detail all the items making up the amount claimed, and the true date of each. It shall be a sufficient defense in any court, to any action or proceeding for the collection of any demand or claim against the city, for personal injuries or otherwise, that it has never been presented, certified to or verified as aforesaid, to the council for allowance; or if such claim is founded on contract that the same was presented without the affidavit or certificate as aforesaid, and rejected for that reason; or that the action or proceeding was brought before the council had a

To allow accounts, etc., when properly certified.

Defense in court to action for personal injuries.

Notice of claim for damages, when to be given.	reasonable time to investigate and pass upon it. And no claim against said city for damages growing out of the negligence or default of said city or of any officer or employee thereof shall be audited or allowed unless the council shall be notified in writing within ten days after the accident, of the time, place and nature of the same as near as practicable, and the person injured shall present his or her claim for damages to the council within six months after such injury occurred accompanied with an affidavit of the person sustaining such damages, stating the time and place at which and the cause and manner of sustaining such damage and the facts connected therewith and the witnesses, if any, present when such damage or injury was received or sustained and in all claims for damages in consequence of any personal injury such affidavit shall also state the name of the attending physician, if any, the amount of money, if any, expended for medical attendance, the loss of time and the value thereof, and shall fully describe the nature and extent of the injury received and the amount of compensation claimed by reason of such damage or injury. No cause of action shall arise against said city unless such notice be given and the claim presented within the time above limited.
When claim presented, and what to contain.	
When no cause of action to arise.	
Power to enact, repeal, etc., ordinances, by-laws, etc.	Sec. 21. The council shall have power within said city to enact, make, continue, establish, modify, amend, and repeal such ordinances, by-laws and regulations as they may deem advisable within said city for the following purposes:
May prevent vice and immorality.	First. To restrain and prevent vice and immorality, gambling, noise and disturbance, indecent or disorderly conduct or assemblages, and to punish for the same; to prevent and quell riots; to preserve peace and good order, and to protect the property of the corporation, and of its inhabitants, and of any association, public or private corporation or congregation therein, and to punish for injuries thereto, or for unlawful interference therewith;
Vagrancy, etc.	Second. To apprehend and punish vagrants, truants, mendicants, street beggars, drunkards, and persons found drunk in any of the public streets or places in the city, disorderly persons, and persons conducting themselves in a disorderly manner in any of the public streets or places in the city, and common prostitutes;
Nuisances, etc.	Third. To prevent injury or annoyance from anything dangerous, offensive, or unhealthy; to prohibit and remove anything tending to cause or promote disease; to prevent and abate nuisances, and to punish those occasioning them, or neglecting or refusing to abate, discontinue or remove the same;
Disorderly houses.	Fourth. To prohibit and suppress all disorderly houses and places, houses of ill fame, assignation houses, gambling houses, and all places where persons resort for gaming or to play at games of chance and to punish the keepers thereof;

Fifth. To regulate and license the use of billiard tables. Billiard tables.
nine or ten pin alleys or tables, and ball alleys;

Sixth. To prohibit and suppress every species of gambling, Gaming.
and to authorize the seizure and destruction of all instruments
and devices used for the purpose of gaming;

Seventh. To prohibit and prevent the selling or giving of Spirituous
liquors.
any spirituous, fermented or intoxicating liquors to any
drunkard or intemperate person, minor or apprentice, and to
punish any person so doing;

Eighth. To regulate, restrain, or prohibit all sports, exhi- Sports, exhi-
bitions, etc.
bitions of natural or artificial curiosities, caravans, circuses,
menageries, theatrical exhibitions, shows, and all exhibitions
of whatever name or nature, for which money or other reward
is in any manner demanded or received; lectures on historic,
literary or scientific subjects excepted;

Ninth. To prevent and punish violations of the Sabbath Disturbances
of meetings,
etc.
day, and the disturbance of any religious meeting, congrega-
tion or society or other public meeting assembled for any
lawful purpose; and to require all places of business to be
closed on the Sabbath day;

Tenth. To license auctioneers, auctions and sales at auc- Licenses.
tion; to regulate or prohibit the sale of live or domestic ani-
mals at auction in the streets or alleys, or upon any public
grounds within the city; to regulate or prohibit the sale of
goods, wares, property, or anything at auction or by any man-
ner of public biddings or offers by the buyers or sellers after
the manner of auction sales, and to license the same, and to
regulate the fees to be paid by and to auctioneers; but no
license shall be required in case of sales required by law to
be made at auction or public vendue;

Eleventh. To license hawkers, peddlers, bill posters and Idem.
pawn brokers and hawking and peddling, and to regulate,
license or prohibit the sale or peddling of goods, wares, mer-
chandise, refreshments or any kind of property or thing by
persons going about from place to place in the city for that
purpose, or from any stand, cart, vehicle, or other device, in or
upon the streets, highways, alleys, sidewalks, or in or upon
wharves, docks, or from boats, open places or spaces, public
grounds or buildings in the city;

Twelfth. To license and regulate wharf boats, and to Idem.
regulate the use of tugs and other boats used in and about
the harbor, and within the jurisdiction of the city;

Thirteenth. To establish or authorize, license and regulate Ferries.
ferries to and from the city, or any place therein, or from any
part of the city to another, and to regulate and prescribe from
time to time the charges and prices for the transportation of
persons and property thereon;

Fourteenth. To regulate and license all taverns and houses Taverns.
of public entertainment; all saloons, restaurants and eating
houses, and to regulate and prescribe the location of saloons;

	but this shall not be construed as authorizing the licensing of the sale of intoxicating liquors;
Vehicles.	Fifteenth. To license and regulate all vehicles of every kind used for the transportation of persons or property for hire, in the city, and regulate or fix their stands on the streets and public places, and at wharves, boat landings, railroad station grounds and other places;
Inspection of meats, etc.	Sixteenth. To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, flour, meat and other provisions;
Wood, brick and coal.	Seventeenth. To regulate the inspection, weighing and measuring of brick, fire-wood, coal, hay and any article of merchandise;
Weights and measures.	Eighteenth. To provide for the inspection and sealing of weights and measures and to enforce the keeping and use of proper weights and measures by venders;
Vaults.	Nineteenth. To regulate the construction, repair and use of vaults, cisterns, areas, hydrants, pumps, sewers, gutters and plumbing;
Indecent exposure of person.	Twentieth. To prohibit and prevent, in the streets, or elsewhere in the city, indecent exposure of the person, the show, sale or exhibition for sale, of indecent or obscene pictures, drawings, engravings, paintings and books or pamphlets, and all indecent or obscene exhibitions and shows of every kind;
Bathing.	Twenty-first. To regulate or prohibit bathing in the rivers, ponds, streams and waters of the city;
Purity of waters.	Twenty-second. To provide for clearing the rivers, ponds, canals, and streams of the city, and the races connected therewith, of all driftwood and noxious matter; to prohibit and prevent the depositing therein of any filth or other matter tending to render the water thereof impure, unwholesome and offensive;
Offensive trades.	Twenty-third. To compel the owner or occupant of any grocery, tallow chandler shop, soap or candy factory, butcher shop or stall, slaughter house, stable, barn, privy, sewer, or other offensive, nauseous or unwholesome place or house, to cleanse, remove or abate the same whenever the council shall deem it necessary for the health, comfort or convenience of the inhabitants of the city;
Dynamite, gunpowder, etc.	Twenty-fourth. To regulate the keeping, selling and using of dynamite, gunpowder, firecrackers and fireworks and other explosive or combustible materials, and the exhibitions of fireworks, and the discharge of firearms, and to restrain the making or lighting of fires in the streets and other open spaces in the city;
Cellars, etc.	Twenty-fifth. To direct and regulate the construction of cellars, slips, barns, private drains, sinks and privies;
Lotteries.	Twenty-sixth. To prohibit, prevent and suppress all lotteries for the drawing or disposing of money or any other property whatsoever, and to punish all persons maintaining, directing

or managing the same, or aiding in the maintenance, directing or managing the same;

Twenty-seventh. To license and regulate solicitors for passengers or for baggage to and from any hotel, tavern, public house, boat or railroad; and to provide the places where they may be admitted to solicit or receive patronage; also draymen, carmen, truckmen, porters, runners, drivers of cabs, hackney coaches, omnibuses, carriages, sleighs, express vehicles, and vehicles of every other description used and employed for hire, and to fix and regulate the amounts and rates of their compensation; Soliciting of passengers, etc. Fix charges.

Twenty-eighth. To provide for the protection and care of paupers, and to prohibit and prevent all persons from bringing to the city from any other place, any pauper or other person likely to become a charge upon the city, and to punish therefor; The poor.

Twenty-ninth. To provide for taking a census of the inhabitants of the city, whenever the council shall see fit, and to direct and regulate the same; Census.

Thirtieth. To provide for the issuing of licenses to the owners and keepers of dogs, and to compel the owners and keepers thereof to pay for and obtain such licenses; and to regulate and prevent the running at large of dogs, to require them to be muzzled and to authorize the killing of all dogs not licensed, or running at large in violation of any ordinance of the city; Dogs.

Thirty-first. To prohibit and punish the use of toy pistols, sling shots and other dangerous toys or implements within the city; Toy pistols.

Thirty-second. To require any horses, mules or other animals attached to any vehicle or standing in any of the streets, lanes or alleys in the city to be securely fastened, hitched, watched or held; and to regulate the placing and provide for the preservation of hitching posts; Horses, mules, etc., to be hitched.

Thirty-third. To provide for and regulate the numbering of buildings upon the streets and alleys, and to compel the owners or occupants to affix numbers on the same; and to designate and change the names of public streets, alleys and parks; Numbering of buildings.

Thirty-fourth. To provide for, establish, regulate and preserve public fountains and reservoirs within the city, and such troughs and basins for watering animals as they may deem proper; Fountains and reservoirs.

Thirty-fifth. To prevent or provide for the construction and operation of street railways and to regulate the same and to determine and designate the route and grade of any street railway to be laid or constructed in said city; Street railways.

Thirty-sixth. The council may also license transient traders, which shall be held to include all persons who may engage in the business of selling goods, chattels or merchandise after the commencement of the fiscal year, and the Transient traders.

	license fee in such cases may be apportioned with relation to the part of the fiscal year which has expired, but such traders, if they continue in the same business, shall not be required to take out a second license after the commencement of the next fiscal year: Provided, Such goods, chattels or merchandise have been assessed for taxes for said fiscal year;
Proviso.	
Noxious weeds.	Thirty-seventh. And further, the council shall have authority to require all thistles, burdocks, yellow docks and other objectionable weeds found growing on any public or private property within the city limits to be destroyed; but before entering upon any private property for the purpose of destroying the weeds mentioned herein, the council shall cause a notice, written or printed, or partly written and partly printed, to be served on the owner or occupant of said property, requiring the destruction within five days after service of such notice. If no service of such notice can be had upon the owner or occupant, then it shall be sufficient to post the same in some conspicuous place on the premises, and the cost of removing such weeds shall be paid from the city treasury and the same assessed against the property in the next general assessment roll of the city;
Who may be arrested as vagrants.	Thirty-eighth. To authorize the arrest, fine and imprisonment, as vagrants, of all persons who, not having visible means to maintain themselves, are without employment, idly loitering or rambling about, or who shall be found trespassing in the night time upon the private premises of others, or begging, or placing themselves in the streets or other thoroughfares or public places to beg or receive alms; also keepers, exhibitors, or visitors at any gaming table, gambling house, house of fortune telling, place for cock fighting or other place or device; and all persons who go about for the purpose of gaming or who shall have in their possession any article or thing used for obtaining money under false pretenses, or shall disturb any place where public or private schools are held, either on week day or Sabbath, or places where religious worship is held;
Gamblers.	
Board of public works.	Thirty-ninth. To establish by ordinance when deemed expedient, a board of public works for said city, and to define and prescribe its powers and duties, and the number, qualifications and compensation of its members and the manner and time of electing or appointing the members thereof;
Telegraph, telephone and electric light companies.	Fortieth. And further the council shall have authority to license telegraph, telephone and electric light companies, to erect poles in the streets and public places, and place necessary wire thereon and to provide for the annual inspection of all such poles by a competent person and to charge a reasonable compensation therefor;
Ordinances.	Forty-first. The council shall further have authority to enact all ordinances, and to make all such regulations, consistent with the laws and constitution of the State, as they may deem necessary for the safety, order and good govern-

ment of the city, and the general welfare of the inhabitants thereof; but no exclusive rights, privileges or permits shall be granted by the council to any person or persons, or to any corporation for any purpose whatever.

SEC. 22. The council may prescribe the terms and conditions upon which licenses may be granted and may exact and require payment of such reasonable sum for any license as they may deem proper. The person receiving the license shall, before the issuing thereof, execute a bond to the corporation, when required by the council, in such sum as the council may prescribe, with one or more sufficient sureties, conditioned for a faithful observance of the charter of the corporation and the ordinances of the council, and otherwise conditioned as the council may prescribe. Every license shall be revocable by the mayor at pleasure; and when any license shall be revoked for non-compliance with the terms and conditions upon which it was granted, or on account of any violation of any ordinance or regulation passed or authorized by the council, the person holding such license shall, in addition to all other penalties imposed, forfeit all payment made for such license.

Prescribe
terms of
license.

License
revocable.

SEC. 23. No license shall be granted for any term beyond the first Monday in June next thereafter, nor shall any license be transferable and the council may provide for punishment by fine or imprisonment, or both, of any person who without license, shall exercise any occupation or trade, or do anything for or in respect to which any license shall be required by any ordinance or regulation of the council.

Term for
which
granted.
Not transfer-
able.

SEC. 24. All sums received for licenses granted for any purpose by the city or under its authority, shall be paid into the city treasury to the credit of the contingent fund.

License
money.

SEC. 25. The council of said city shall have authority to permit any railroad company or street railway company to lay its track and operate its road with steam, electric or other power, in or across the streets, highways and public alleys of the city, as the council may deem expedient, upon such terms and conditions, and subject to such regulations, to be observed by the company, as the council may prescribe; and to prohibit the laying of such track, or the operating of any such road, except upon such terms and conditions. But such permission shall not affect the right or claim of any person for damages sustained by reason of the construction or location of any such railroad or street railway: Provided, That no franchise for the use or occupancy of any street for any purpose shall be granted to any individual, company or corporation, except by a two-thirds vote of all the aldermen elect, nor shall any such franchise be granted for a period exceeding twenty-one years.

Railroad
crossings.

Proviso.

SEC. 26. The council shall have power to provide for and change the location and grade of street crossings of any railroad track; and to compel any railroad company to raise

Grade of
streets.

Street crossings.	or lower their railroad track, to conform to street grades which may be established by the city from time to time; and to construct street crossings in such manner, and with such protection to persons crossing thereat, as the council may require, and to keep them in repair; also to require and compel railroad companies to keep flagmen or watchmen at all railroad crossings of streets, and to give warning of the approach and passage of trains thereat, and to light such crossings during the night; and to require and prescribe the speed of all locomotives and railroad trains and street railway cars within the city; but such speed shall not be required to be less than six miles per hour; and to impose a fine of not less than five nor more than fifty dollars, upon the company, and upon any engineer or conductor, violating any ordinance regulating the speed of trains.
Flagmen at crossings.	
Speed of cars.	
Railway company to care for drains, etc.	SEC. 27. The council shall have power to require and compel any railroad company and any street railway company to make, keep open and in repair such ditches, drains, sewers and culverts, along and under or across their railroad tracks, as may be necessary to drain their grounds and right of way properly, and in such manner as the council shall direct, so that the natural drainage of adjacent property shall not be impeded. If any such railroad company or street railway company shall neglect to perform any such requirement, according to the directions of the council, the council may cause the work to be done at the expense of such company, and the amount of such expense may be collected at the suit of the city against the company, in a civil action, before any court having jurisdiction of the cause.
Refusal.	
Partition fences.	SEC. 28. The council is authorized to enact all such ordinances and by-laws as it may deem proper relative to the building, rebuilding, maintaining and repairing of partition fences by the owners and occupants of adjoining lots, inclosures and parcels of land in said city; and relative to the assigning to the owners or occupants of such adjoining pieces of land the portion of such partition fences to be maintained by them respectively; and may provide for the recording of such assignments and divisions when made; and may provide for the recovery of damages from any owner or occupant who shall fail to comply with the provisions and requirements of any ordinance relative to such partition fences. And the council may appoint fence-viewers, and prescribe their duties and mode of proceeding in all cases relative to partition fences in said city.
Fence viewers.	
Poor persons.	SEC. 29. The council may make such provision as they shall deem expedient for the support and relief of poor persons residing in the city; and for that purpose may provide by ordinance for the election or appointment of a director of the poor for the city, and may prescribe his duties and vest him with such authority as may be proper for the exercise of his duties.

SEC. 30. It shall be lawful for the council to grant permission to any free-holder to plant in any of the public streets, lanes or highways of this city contiguous to any property owned by any free-holder making application, shade or ornamental trees and to provide suitable protection for and around any shade or ornamental trees now growing or hereafter planted within the city. It shall be unlawful for any person to cut down, mutilate or destroy or cause the same to be done, by hitching any beast to any shade or ornamental tree standing in any highway, public park, street, lane or alley of this city so long as said trees are alive and growing, or any shade or ornamental trees which have been heretofore planted, or to cut down, mutilate or destroy or cause the same to be done by hitching any beast to the protection placed around any shade or ornamental tree and any person who shall knowingly or carelessly violate the provisions of this section shall be punished by a fine not exceeding ten dollars or by imprisonment in the county jail not more than thirty days.

When shade trees, etc., may be planted.

Unlawful to mutilate, etc.

Penalty for violation.

SEC. 31. The council may provide and maintain one or more pounds within the city and may appoint poundmasters, prescribe their powers and duties, and fix their compensation; and may authorize the impounding of all beasts and fowls found in the streets or otherwise at large contrary to any ordinance of the city; and if there shall be no pound or poundmaster they may provide for the impounding of such beasts and fowls, by the chief of police, in some suitable place under his immediate care and inspection, and may confer on him the powers and duties of poundmaster.

Council to provide pounds, etc.

When chief of police to perform poundmaster's duties.

SEC. 32. The council may also prescribe the fees for impounding and the amount or rate of expenses for keeping, and the charges to be paid by the owner or keeper of the beasts or fowls impounded; and may authorize the sale of such beasts and fowls for the payment of such fees, expenses and charges, and for penalties incurred, and may impose penalties for rescuing any beast or thing impounded.

Council to prescribe pound fees, etc.

SEC. 33. The council shall have power to assess, levy and collect taxes for the purposes of the corporation upon all property made taxable by law for State purposes, which taxes shall be liens upon the property taxed until paid; to appropriate money, provide for the payment of the debt and expenses of the city and make regulations concerning the same; to employ all persons confined for the non-payment of any fine, penalty, forfeiture or costs, or for any offense under this act or any ordinance of the council, in any jail, workhouse or prison, at work or labor either within or without the same, or upon any street or public work under the control of the council; to allow any person thus confined for the non-payment of any fine, penalty, forfeiture or costs to pay and discharge the same by such work and labor, and to fix the value and price of such work and labor.

To levy and collect taxes.

Powers in employing prisoners.

Council may
prescribe
penalty for
violation of
ordinance.
Limit of fine
and impris-
onment.

SEC. 2. When, by the provisions of this act, the council of said city has authority to pass ordinances for any purposes they may prescribe fines, penalties and forfeitures not exceeding five hundred dollars, unless a greater fine or penalty is herein authorized, or imprisonment not exceeding six months or both in the discretion of the court, together with the costs of prosecution for each violation of any of said ordinances; and may provide that the offender, on failing to pay any such fine, penalty or forfeiture, and the costs of prosecution, may be imprisoned for any term not exceeding six months unless payment thereof be sooner made; and may direct such imprisonment to be in the city prison, or in the county jail of the county of Menominee or in such other prison or place of confinement in the State as provided by law. Such fine, penalty, forfeiture and imprisonment, for the violation of any ordinance, shall be prescribed therein.

When certain
to take effect.

SEC. 3. No ordinance passed or resolution, for the expenditure of money, adopted by the council shall have any force or effect, if, on the day of its passage, or on the next day thereafter, the mayor, or other officer or person legally discharging the duties of mayor, shall lodge in the office of the clerk a notice in writing suspending the immediate operation of such ordinance or resolution. If the mayor shall, within three days after the passage of any such ordinance or resolution, lodge in the office of the city clerk his reasons in writing why the same should not go into effect, the same shall not go into effect, nor have any legal operation, unless it shall, at a subsequent meeting of the council, be passed by a two-thirds vote of all the aldermen elect, and if so repassed shall go into effect according to the terms thereof. If such reasons shall not be lodged with the clerk as above provided, such ordinance or resolution shall have the same operation and effect as if no notice suspending the same had been lodged with the city clerk, and no ordinance or resolution of the council shall go into operation until after the expiration of twenty-four hours after its passage, unless the said mayor, or acting mayor, shall approve the same in writing: Provided, That in case any proposed ordinance or resolution passed by the council shall have been vetoed by the mayor, then if such ordinance or resolution shall fail to receive the necessary two-thirds vote to pass the same over the mayor's objections, such ordinance or resolution may be by the council referred to a vote of the people, such vote to be taken at the next annual election or at any special election called by the council for that purpose and if a majority of the legal voters of the city shall vote in favor of such ordinance or resolution so referred to them, then the same shall take effect and be enforced, otherwise to be null and void, and any ordinance or resolution enacted by vote of the electors of the city in the manner above provided for shall not be sub-

In case of
mayor's veto.

In case veto
not filed
with clerk.

Proviso.

ject to repeal by the council, but the council may at any time by resolution submit the question of such repeal to a vote of the people to be taken in the same manner, and any ordinance or resolution which may have been defeated by a vote of the people under the provisions of this section shall not again be passed by the council within six months from the time of such defeat.

When submitted to people.

SEC. 4. No repealed ordinance shall be revived unless the whole or so much as is intended to be revived shall be re-enacted. When any section or part of a section of an ordinance is amended, the whole section, as amended, shall be re-enacted.

When to be re-enacted.

SEC. 5. All ordinances when approved by the mayor or when regularly enacted shall be immediately recorded by the clerk of the council, in a book to be called "The Record of Ordinances" and it shall be the duty of the mayor and clerk to authenticate the same by their official signatures upon such record.

When and how recorded.

SEC. 6. Within two weeks after the passage of any ordinance the same shall be published in some newspaper printed and circulated within the city, and the clerk shall immediately after such publication enter upon the record of ordinances, in a blank space to be left for such purpose under the recorded ordinance, a certificate stating in what newspaper and of what date such publication was made, and sign the same officially, and such certificates shall be prima facie evidence that legal publication of such ordinance has been made.

When published.

What to be prima facie evidence of legal publication.

SEC. 7. In all courts having authority to hear, try or determine any matter or cause arising under the ordinances of said city, and in all proceedings in said city, relating to or arising under the ordinances or any ordinance thereof, judicial notice shall be taken of the enactment, existence, provisions and continuing force of the ordinances of the city. And whenever it shall be necessary to prove any of the laws, regulations or ordinances of said city, or any resolution adopted by the council thereof, the same may be read in all courts of justice, and in all proceedings:

How ordinances to be used in courts.

First. From a record thereof kept by the city clerk;

Second. From a copy thereof, or of such record thereof, certified by the city clerk under the seal of the city;

Third. From any volume of ordinances purporting to have been written or printed by authority of the council.

ENFORCEMENT OF ORDINANCES.

SEC. 8. Prosecutions for violations of the ordinances shall be commenced within two years after the commission of the offense, and shall be brought within the city.

When prosecutions commenced.

SEC. 9. Whenever a pecuniary penalty or forfeiture shall be incurred for the violation of any ordinance, and no provision shall be made for the imprisonment of the offender

How fines recovered.

	<p>upon conviction therefor, such penalty or forfeiture may be recovered in an action of debt, or in assumpsit; and if it be a forfeiture of any property, it may be sued for and recovered in an action of trover, or other appropriate action. Whenever a corporation shall incur a penalty or forfeiture for the violation of any ordinance, the same shall be sued for in one of the actions aforesaid.</p>
Action brought in name of city.	<p>SEC. 10. Such action shall be brought in the name of the city, and shall be commenced by summons. The form, time of return, and service thereof, the pleadings, and all proceedings in the cause shall, except as otherwise provided herein, conform to and be the same, as nearly as may be, as in like actions provided by law for the recovery of penalties for violations of the laws of the State. Upon the rendition of judgment against the defendant, execution shall issue forth with and except when against a corporation, shall require if sufficient goods and chattels cannot be found to satisfy the same, that the defendant be committed to prison, there to remain for a period not exceeding ninety days, unless such execution be sooner paid, or he be discharged by due course of law; but imprisonment without payment shall not operate as a satisfaction of the judgment, nor shall costs be allowed to the defendant in any such action.</p>
When defendant may be imprisoned.	
Prosecutions, how commenced.	<p>SEC. 11. Prosecutions for violations of the ordinances of the city may also, in all cases, except against corporations, be commenced by warrant for the arrest of the offender.</p>
Form of warrant and what to set forth.	<p>SEC. 12. Such warrant shall be in the name of the people of the State of Michigan, and shall set forth the substance of the offense complained of, and be substantially of the form, and be issued upon complaint made, as provided by law in criminal cases cognizable by justices of the peace, and the proceedings relating to the arrest and custody of the accused during the pendency of the suit, the pleadings, and all proceedings upon the trial of the cause, and in procuring the attendance and testimony of witnesses, and in the rendition of judgment, and in the execution thereof, shall, except as otherwise provided by this act, be governed by, and conform as nearly as may be, to the provisions of law regulating the proceedings in criminal cases cognizable by the justices of the peace.</p>
Proceedings to conform with certain laws.	
When judgment rendered.	<p>SEC. 13. If the accused shall be convicted, the court shall render judgment thereon, and inflict such punishment either by fine or imprisonment, or both, not exceeding the limit prescribed in the ordinance violated, as the nature of the case may require, together with such costs of prosecution as the court shall order.</p>
How executed.	<p>SEC. 14. Every such judgment shall be executed by virtue of an execution or warrant, specifying the particulars of the judgment. If the judgment be for the payment of a fine only, with or without costs, execution of the form prescribed in section three of this title shall issue forthwith. If judgment</p>

be for both fine and imprisonment, a warrant shall issue immediately for the commitment of the defendant until the expiration of the term mentioned in the sentence, and an execution shall issue at the same time against the goods and chattels of the defendant for the collection of the fine or forfeiture imposed; but in neither case above mentioned shall the imprisonment without payment operate as a satisfaction of the fine and costs imposed. In cases where a fine and imprisonment in default of payment thereof, or where imprisonment alone is imposed, a warrant of commitment shall issue accordingly, in the former case until the expiration of the sentence, unless the fine and costs be sooner paid, and in the latter, for the term named in the sentence.

When for both fine and imprisonment.

When warrant of commitment to issue.

SEC. 15. The city shall be allowed the use of the jail of the county in which it is located, for the confinement of all persons liable to imprisonment under the ordinances thereof, or under any of the provisions of this act; and any person so liable to imprisonment may be sentenced to and committed to imprisonment, in such county jail or in the city prison, or other place of confinement provided by the city, or authorized by law, and the sheriff or other keeper of such jail or other place of confinement or imprisonment, shall receive and safely keep any person committed thereto as aforesaid, until lawfully discharged.

City allowed use of county jail.

SEC. 16. All process issued in any prosecution or proceeding for the violation of any ordinance of the city shall be directed to the chief of police or the sheriff of the county, and may be executed in any part of the State, by said officers or any other officer authorized by law to serve process issued by justices of the peace.

Process, how directed and executed.

SEC. 17. It shall not be necessary in any suit, proceeding or prosecution, for the violation of any ordinance of the city, to state or set forth such ordinance or any provision thereof, in any complaint, warrant, process or pleading therein; but the same shall be deemed sufficiently set forth or stated, by reciting its title and the date of its passage or approval. It shall be a sufficient statement of the cause of action in any such complaint or warrant, to set forth substantially, and with reasonable certainty as to time and place, the act or offense complained of, and to allege the same to be in violation of an ordinance of the city, referring thereto by its title and the date of its passage and approval, and every court or magistrate having authority to hear or determine the cause shall take judicial notice of the enactment, existence and provisions of the ordinances of the city, and the resolutions of the council and of the authority of the city to enact the same.

When not necessary to state ordinance.

SEC. 18. In all prosecutions for violations of the ordinances of the city, either party may require a trial by jury. Such jury, except when other provision is made, shall consist of six persons; and in suits commenced by warrant, shall be selected and summoned as in criminal cases cognizable by

When entitled to jury.

Who competent to serve as juror.	<p>justices of the peace, and in suits commenced by summons as in civil cases triable before such magistrates. No inhabitant of the city shall be incompetent to serve as a juror in any cause in which the city is a party, or interested, on account merely of such interest as he may have in common with all the inhabitants of the city in the result of the suit.</p>
Appeals, how made.	<p>SEC. 19. Any party convicted of a violation of any ordinance of the city, in a suit commenced by warrant, as aforesaid, may remove the judgment and proceedings into the circuit court for the county in which the city is located, by appeal or writ of certiorari; and the proceedings therefor, and the bond of security to be given thereon, and the proceedings and disposition of the cause in the circuit court, shall be the same as on appeal and certiorari in criminal causes cognizable by justices of the peace; and in suits to which the city shall be a party, brought to recover any penalty or forfeiture for such violations, either party may appeal from the judgment or remove the proceedings, by certiorari, into the circuit court, and the like proceedings shall be had therefor and thereon, and the like bond or security shall be given as in cases of appeal and certiorari in civil causes, tried before justices of the peace, except that the city shall not be required to give any bond or security therein. The circuit court to which the cause shall be appealed or removed by certiorari shall also take judicial notice of the ordinances of the city, and the resolutions of the council, and of the provisions thereof.</p>
Circuit court to take notice of ordinances, etc.	<p>SEC. 20. All fines imposed for violations of the ordinances of the city, if paid before the accused is committed, shall be received by the court or magistrate before whom the conviction was had. If any fine shall be collected upon execution, the officer or persons receiving the same shall immediately pay over the money collected to such court or magistrate. If the accused be committed, payment of the fine and costs imposed shall be made to the sheriff or other keeper of the jail or prison, who shall, within thirty days thereafter, pay the same to said court or magistrate; and the court or magistrate receiving any such fine or penalty and costs or any part thereof, shall pay the same into the city treasury on or before the first Monday of the month next after the receipt of the same and take the treasurer's receipt for and file the same with the city clerk.</p>
Fines, to whom paid and how disposed.	<p>SEC. 21. If any person who shall have received any such fine, costs or any part thereof shall neglect to pay over the same pursuant to the foregoing provision it shall be the duty of the council to cause suit to be commenced immediately therefor in the name of the city and to prosecute the same to effect. Any person receiving any such fine and costs, who shall wilfully neglect or refuse to pay over the same as required by the foregoing provisions, shall be deemed guilty of a misdemeanor and shall be punished accordingly.</p>
When suit brought for collection.	
Penalty for refusal to pay.	

SEC. 22. Fines and costs paid into the city treasury for violations of ordinances of the city, shall be disposed of as provided for in this act. The expenses of the apprehension and punishment of persons violating the ordinances of the city, excepting such part as shall be paid by costs collected, shall be defrayed by the city.

Fines for ordinance violation, how disposed of.
Expenses for apprehension, etc., by whom paid.

SEC. 23. The circuit court of the county of Menominee, shall have jurisdiction to hear, try and determine all causes arising under the ordinances of the city for violations thereof, when the fine or forfeiture imposed shall exceed one hundred dollars, or where the offender may be imprisoned for a term exceeding three months. The proceedings in the circuit court in all such cases, shall be the same as in prosecutions to recover penalties and forfeitures, and to punish violations of the criminal laws of the State and the general laws of the State regulating prosecutions in criminal cases, and to recover penalties shall apply.

When circuit court to have jurisdiction.

Proceedings in.

SEC. 24. In all prosecutions for violations of the ordinances of the city, commenced by any person other than an officer of the city, the court may require the prosecutor to file security for the payment of the costs of the proceedings, in case the defendant is acquitted. But he shall not be liable for the payment of the costs if the magistrate before whom the complaint is made, or trial is had, shall certify in his minutes that there was probable cause for the making of such complaint.

When prosecutor to file security.

TITLE IX.

POLICE.

SECTION 1. The said city is hereby empowered and authorized to maintain a police force for the good government of said city and for the protection of the persons and property of the inhabitants.

City may maintain force.

SEC. 2. The police force of said city shall consist of such number of policemen and night watchmen as the council may deem necessary, and shall from time to time by resolution direct. The number of said policemen may be increased or diminished by the council at any time when in their judgment the emergency or necessity may require.

Of what to consist.

SEC. 3. The said policemen and night watchmen shall be appointed by the chief of police by and with the consent and approval of the council, and shall hold their office during the pleasure of the council, and receive such compensation as the council may provide.

By whom appointed.

Compensation.

SEC. 4. No person shall be appointed to said police force except he be a qualified elector of said city, and in making appointments to said force preference shall be given to permanent residents possessing property and paying taxes in said city; but such appointment shall in all cases be made

Qualifications.

	with due regard to the efficiency of said force and the good order and government of said city. And no person shall be so appointed to said force excepting he be a person of good moral character and temperate habits.
Whom not eligible.	SEC. 5. No person, directly or indirectly engaged or interested in the sale of intoxicating liquors in the said city, or in any saloon, variety theatre, or other place where intoxicating liquors are sold, shall be eligible to appointment to the police force of said city.
May be removed for disorderly conduct, etc.	SEC. 6. Any policemen or night watchman frequenting saloons, or places where intoxicating liquors are sold, becoming intoxicated, or who shall drink any intoxicating liquors, or shall buy, give, furnish, or cause to be furnished to any other person any such intoxicating liquor or admixture thereof, frequenting houses of ill repute, or who shall be guilty of any disorderly conduct, or any violation of this act, the ordinances of the city, or penal laws of this State, shall be forthwith removed from office; and any policeman or night watchman leaving his beat and found in any saloon, hotel or public resort during his hours of duty, shall be suspended or removed from office; and shall not again be appointed to said police force: Provided, That nothing in this section shall be construed to prevent any officer from carrying into effect any ordinance of the council, or the penal laws of this State, in this act contained.
Proviso.	
To make monthly report.	SEC. 7. The several policemen and night watchmen of said city shall make monthly reports to the chief of police, which reports shall be substantially the same as the reports hereinbefore required to be made by the chief of police.
Council to make rules, regulations, etc.	SEC. 8. The council may make and establish rules for the regulation and government of police, prescribing and defining the powers and duties of policemen and night watchmen, and shall prescribe and enforce such police regulations, as will most effectually preserve the peace and good order of the city, preserve the inhabitants from any personal violence and protect public and private property from destruction by fire and from unlawful depredation. And the mayor is hereby authorized, whenever he shall deem it necessary for the preservation of peace and good order in the city, to appoint and place on duty such number of temporary policemen as in his judgment the emergencies may require; but such appointment, unless made in accordance with some ordinance or resolution of the council, shall not continue longer than three days.
Mayor may appoint certain.	
Time appointment to continue.	
Chief to have supervision.	SEC. 9. The chief of police, subject to the direction of the mayor, shall, as chief of police have the superintendence and direction of the policemen and night watchmen, subject to such regulations as may be prescribed by the council.
Duties.	SEC. 10. It shall be the duty of the police and the night watchmen and officers of the force, under the direction of the mayor and chief of police, and in conformity with the ordi-

nance of the city, to suppress all riots, disturbances and breaches of the peace, to pursue and arrest any person fleeing from justice, in any part of the State; to apprehend any and all persons in the act of committing any offense against the laws of the State, or the ordinances of the city, and to take the offender forthwith before the proper court or magistrate, to be dealt with for the offense; to make complaints to the proper officers and magistrates of any person known or believed to have been guilty of the violations of the ordinances of the city, or the penal laws of the State; and at all times diligently and faithfully to enforce such laws, ordinances and regulations for the preservation of good order and the public welfare as the council may ordain.

TITLE X.

CITY PRISON.

SECTION 1. The council of said city shall have power to provide and maintain a city prison, and such watch or station houses as may be necessary, and may provide for the confinement therein of all persons liable to imprisonment or detention under the ordinances of the city, and for the employment of those imprisoned therein. Council to provide.

SEC. 2. All persons sentenced to confinement in the city prison and all persons imprisoned therein on execution or commitment for the non-payment of fines for violations of the ordinances of the city, may be kept at hard labor during the term of their imprisonment, either within or without the prison, under such regulations as the council may prescribe. Prisoner may be kept at labor.

SEC. 3. Until such time as the council shall, by ordinance, prescribe regulations relative to the employment of persons sentenced to confinement in the city prison, it shall be the duty of the chief of police to see that all such prisoners, not being cripples, who are in good health and who are not incapacitated to labor by reason of illness, infirmity or bodily injury, are employed for at least ten hours per day at labor during the period of their confinement, and for such purpose may place all such prisoners in the custody of the street commissioner of said city, and compel them to labor under the direction of the said commissioner upon the streets or walks of said city, or upon any public improvements of said city; and it is further hereby made the duty of the chief of police and the street commissioner of said city to prevent the escape of all such prisoners and to return them to the city prison during the intervals when not employed. Duties of chief police regarding.

SEC. 4. The words, "city prison," whenever mentioned in this title, shall be construed to include the county jail of said county, and the provisions of this title shall apply to all prisoners sentenced to the county jail of the county of Me- Words "City Prison," how construed.

Duty of keeper of county jail.

nominee by any justice of the peace of said city, for the violation of any of the provisions of this act or of any ordinance.

SEC. 5. The keeper of the county jail shall be bound to take official notice of the provisions of this title, and deliver to the chief of police, under the provisions of this title, all prisoners whom the chief of police is required to employ at labor, and to receive and safely keep all such prisoners in the intervals of labor when returned to him by the said chief of police.

TITLE XI.

PUBLIC HEALTH.

Council may enact laws for preservation of.

SECTION 1. The council of said city may enact all such ordinances as may be deemed necessary for the preservation and protection of the health of the inhabitants thereof, and to prevent the introduction of malignant, infectious or contagious diseases within the city, or within one mile thereof, and for the removal of persons having such diseases, or who, from exposure thereto or otherwise, may be suspected or believed to be liable to communicate the same, either beyond the city limits or to such hospital or place of treatment within the city as the council may prescribe, or the public safety may require.

Nuisances.

SEC. 2. The council shall have power to prevent and remove or abate all nuisances dangerous to life or health within the city; and may require any person, corporation or company, causing such nuisance, and the owner or occupant of any lot or premises upon or in which any such nuisance or cause of disease may be found, to remove or abate the same, upon such notice, and within such time, and in such manner as the council may by ordinance or resolution direct.

Cellars, vaults, etc.

SEC. 3. If any cellar, vault, lot, sewer, drain, place, or premises within the city shall be damp, unwholesome, offensive or filthy or be covered during any portion of the year with stagnant or impure water, or shall be in such condition as to produce unwholesome or offensive exhalations, the council may cause the same to be drained, filled up, cleaned, amended or purified; or may require the owner or occupant, or person in charge of said lot, premises or place, to perform such duty and may require the owner or occupant of any building, fence or structure, which may be dangerous or liable to fall and injure persons or property, to pull down or remove the same; or the council may cause the same to be done by the proper officers of the city.

Expense of removal to become debt.

SEC. 4. If any person, corporation or company shall neglect to remove or abate any nuisance, or to perform any requirement made by or in accordance with any ordinance or resolution of the council, or by the board of health of the city, for the protection of the health of the inhabitants, and if any

expense shall be incurred by the city in removing or abating such nuisance, or in causing such duty or requirement to be performed, such expense may be recovered by the city in an action of debt or assumpsit against such person, corporation or company. And in cases where the city shall incur any expenses for draining, filling, cleansing or purifying any lot, place or premises, or for removing any unsafe buildings or structure, or for removing or abating any nuisance found upon any such lot or premises, the council may, in addition to all other remedies provided for the recovery of such expense, charge the same, or such part thereof, as they shall deem proper, upon the lot or premises upon or on account of which such expense was incurred, or from which such nuisance was removed or abated, and cause the same to be assessed upon such lot or premises and collected as a special assessment.

How recovered.

When expense may become special assessment.

SEC. 5. The council, when they shall deem it necessary, may from time to time assign, by ordinance, certain places within the city for the exercising of any trade or employment offensive to the inhabitants or dangerous to public health; and may forbid the exercise thereof in places not so assigned and may change or revoke such assignments at pleasure; and whenever a business, carried on in any place so assigned, or in any other place in the city, shall become hurtful or dangerous to the health of the neighborhood, the council may prohibit the further exercise of such business or employment at such place.

Council may assign places for certain manufacturing.

SEC. 6. The council may purchase the necessary lands, and erect thereon, or otherwise provide one or more hospitals, pest houses or quarantine buildings, either within or without the city limits, and provide for the appointment of the necessary officers, attendants or employes, for the care and management thereof, and for the care and treatment therein, of such sick and diseased persons as the council or board of health of the city shall deem proper; and by direction of the council or board of health, persons having any malignant or contagious disease, or who have been exposed to such disease, may be removed to such hospital, pest house or quarantine buildings, and there detained and treated, when the public safety may so require; and the council may provide such restraints and punishments as may be necessary to prevent any such person from departing from such hospital, pest house or quarantine grounds until duly discharged.

Hospitals, etc.

SEC. 7. The council of said city shall also have and exercise within and for the city, all the powers and authority conferred upon boards of health by chapter one hundred and eight of the compiled laws of eighteen hundred ninety-seven, so far as the same are applicable and consistent with this act; and they may enact such ordinances as may be proper for regulating the proceedings and mode of exercising such powers and authority.

Council may enact health ordinances.

<p>May establish board of health.</p> <p>Powers of board.</p>	<p>SEC. 8. The council when deemed necessary, may establish a board of health for the city and appoint the necessary officers thereof, and provide rules for its government, and invest it with such power and authority as may be necessary for the protection and preservation of the health of the city; and in addition thereto the board shall have and exercise all the powers and authority conferred on boards of health by the chapter of the compiled laws referred to in the preceding section so far as they may be exercised consistently with the provisions of this act. And the council may prescribe penalties for the violation of any lawful order, rule or regulation made by the board of health, or any officer thereof.</p>
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TITLE XII.

CEMETERIES.

<p>Trustees, how appointed.</p>	<p>SECTION 1. The mayor shall, as soon as practicable after this act shall go into effect, appoint by and with the consent of the council, three trustees who shall be electors and freeholders of this city, who shall be appointed to serve from the second Monday of May for the following terms thereafter and until their successors are appointed and enter upon the</p>
<p>Term of office.</p>	<p>discharge of the duties of their offices, viz.: One for one year, one for two years, and one for three years from and after the second Monday in May in the year when appointed. Upon the expiration of the term of office of any member of said board, his successor shall be appointed in like manner for the term of three years from and after the second Monday in May of the year when appointed and until his successor is appointed and enters upon the duties of his office. Upon the</p>
<p>Vacancy, how filled.</p>	<p>death, removal or resignation of any one of said trustees, the mayor shall with the consent of the council as soon thereafter as practicable, appoint another elector of said city for the unexpired term. The mayor and city clerk with the</p>
<p>Who to constitute board.</p>	<p>trustees so appointed shall constitute a board of cemetery trustees.</p>
<p>Officers of.</p>	<p>SEC. 2. The mayor shall be chairman of said board and the city clerk shall be clerk. Before entering upon the duties of their office, said trustees shall take and file with the city clerk an oath or affirmation as in the case of other officers</p>
<p>Minutes to be published, and open to inspection.</p>	<p>of said city. Said board may prescribe the rules governing their proceedings and shall cause full minutes of their proceedings and doings to be kept in a book for that purpose which shall be deemed a public record, which shall be at all times open to the inspection and examination of every citizen or taxpayer of the city of Menominee, which proceedings shall be published in a newspaper of the city at least four times a year.</p>

SEC. 3. Subject to the exceptions, reservations and limitations in this title contained, said board shall have the government, control, direction and management of the public cemeteries of the city of Menominee and all personal and real property belonging thereto and shall make or cause to be made general and detail plans for the improvement of the same and shall carry out said plans as the council shall from time to time approve of and raise or appropriate money therefor or as they shall have funds at their disposal for such purpose. All expenditures of public funds and of all public or private structure, work or improvements in and about the public cemeteries shall be under the direction of said board who shall make and enter rules and regulations for the government and control and the preservation of the cemeteries not in conflict with the ordinances now in force or which may hereafter be adopted by the council and shall cause all their rules and regulations to be entered in a book to be kept for that purpose, signed by the chairman and secretary.

Of what to have control.

SEC. 4. Said board shall also have power and are hereby authorized to appoint one or more sextons subject to the approval of the council and to removal for neglect of duty or other causes and who shall be in all matters pertaining to the care and management of said cemetery under direction of said board. Said sexton or sextons shall receive such salary as the council shall by ordinance or resolution direct and the council may by ordinance invest said board with such powers and authority as may be necessary for the care, management and preservation of said cemetery grounds and the tombs and monuments therein and the appurtenances thereof, and in addition to the duties herein mentioned the board shall perform such other duties as the council may prescribe.

To appoint sextons.

Salary.

SEC. 5. Such board shall have power in its discretion to take, receive and hold any property, real or personal, by devise or otherwise, which may be granted, transferred or devised to such board in trust for the purpose of caring for and keeping in good order and repair any given lot or lots, or portions thereof, specified in any such trust. The board shall fix the price of lots and make the sales thereof. The conveyance of such lots shall be executed on behalf of the city by the city clerk, and be recorded in his office at the expense of the purchasers.

Board may hold, take, etc., property.

SEC. 6. Said board shall cause to be made and filed in the office of the city clerk plats of all public cemeteries of the city and subdivisions thereof, showing the number, name and location of all lots, blocks, parcels, walks, drives and other improvements and features together with an abstract of all certificates, conveyances or deeds of lots or parcels thereof, showing to whom granted, date of conveyance, description and price of lots or parcels and all interments made and monuments erected therein and such other particulars as they shall deem proper to be recorded and it shall be

To make and file certain plats.

How kept.	the duty of the city clerk to preserve said plats and abstracts and also keep in his office a book to be known as "The Cemetery Record" in which he shall record said abstracts or the items thereof and such other particulars and information as said board may require, which plats, abstracts and records shall be public records.
When council may raise money for.	SEC. 7. Upon the application of said board to the council therefor, the council shall have power in their discretion to appropriate or raise money for the care, management and improvement of the public cemeteries of said city. Said board shall make no purchase of real or personal property or enter into any contract or upon any work or improvement requiring the expenditure therefor of an amount in excess of fifty dollars without the consent of the council previously obtained.
Board to make report to council.	SEC. 8. Said board shall make a written report to the council on or before the first Monday in March of each year which shall embrace a statement of the condition of the property and improvements under its control and the doings of said board in relation thereto for the preceding year and of the receipts of said board from all sources and the amounts thereof, together with an itemized account of their disbursements for the preceding year which statement shall be certified by the members of said board and shall be filed with the city clerk of said city and published with the other proceedings of the council. They shall also make report in writing to the council of their doings from time to time as the council shall require.
To submit estimate of money needed.	SEC. 9. On or before the first Monday of September in each year said board shall submit to the council careful estimates in detail of the amount of money which according to the judgment of said board will be needed for improvements, current expenses and other necessary disbursements for the ensuing year, specifying as near as may be the items and amounts and the purposes for which to be used; such estimates may be increased, modified or adopted by the council as in its judgment may seem justifiable.
To submit estimate of anticipated revenue.	SEC. 10. It shall be the duty of said board prior to the first Monday of June in each year to submit to the council an estimate of the anticipated revenue from the property under their control and a statement of all improvements, works and changes contemplated by them for that year and the probable cost and expense of such improvements, works, and alterations and authorize the same to be done or may disapprove and direct what improvements, work or alterations may be made, and authorize the expenditure therefor.
Clerk to pay certain moneys to whom.	SEC. 11. Said city clerk shall on the first Monday of each month pay into the city treasury to the credit of the cemetery fund all moneys received by him from the sale of burial lots or otherwise and take the treasurer's receipt therefor and shall file a detailed statement of the moneys received

together with the treasurer's receipt attached thereto in his office and shall report the filing of such statement and the receipt to the council.

SEC. 12. All accounts and bills for current expenses and other expenditures of said board shall be allowed and certified by the board and when verified by the claimant as other claims against the city shall be audited by the finance committee and when so audited and allowed by the council shall be paid by the city treasurer out of the cemetery fund upon an order drawn by the clerk and countersigned by the mayor.

Accounts, how audited, etc.

SEC. 13. No member of said board shall be interested, either directly or indirectly, in any contract with said board or in the sale of any material or the furnishing of any labor or services to said board; nor shall said board grant any special rights, privileges or franchises without the concurrence of the council; nor any exclusive rights, privileges or franchises whatever.

Members not to be interested in contract with board.

TITLE XIII.

SEWERS, DRAINS AND WATER COURSES.

SECTION 1. The council may establish, construct and maintain sewers and drains, and improve water courses, whenever and wherever necessary, and of such dimensions and material and under such regulations as it may deem proper, for the drainage and sewerage of the city.

Council may construct.

SEC. 2. Whenever it shall become necessary, in the opinion of the council to provide sewerage, drainage, or to improve water courses for the city, or any part thereof, it shall be its duty to devise or cause to be devised a plan for such drainage or sewerage.

Plan to be devised.

SEC. 3. Such plan shall, in the discretion of the council, be formed with a view to the division of the city into main sewer districts, each to include one or more main or principal sewers, with the necessary branches and connections; the districts to be so numbered and so arranged, as to be as nearly independent of each other as may be. Plats and diagrams of such plans, when adopted, shall be filed in the office of the city clerk.

How formed, what to show and where filed.

SEC. 4. Main sewer districts may be subdivided into special sewer districts in such manner that each special district shall include one or more lateral or branch sewers, connecting with the main sewer, and shall include in such districts such lands as, in the opinion of the council, will be benefited by the construction thereof. When deemed necessary, special sewer districts, to include one or more local or branch sewers, and such lands as in the opinion of the council will be benefited by the construction thereof, may be formed of territory not included in any main sewer district.

Sewer districts, how divided.

Main sewers.	SEC. 5. The council may, however, provide for main or trunk sewers, without reference to sewer districts, diagrams or plats of which shall be filed in the office of the city clerk.
Cost of establishing, how paid.	SEC. 6. The cost and expense of establishing and maintaining any main or trunk sewer, constructed without reference to sewer districts shall be paid out of the general sewer fund. Such part as the council shall determine, being not less than twenty-five per cent of the cost and expense of any main district sewer, or of the cost of any lateral, branch or local sewer, constructed within a special sewer district, shall be paid from the general sewer fund, and the remainder of such cost and expense shall be defrayed by a special assessment upon all the taxable land and premises included within such sewer district, in proportion to the estimated benefit accruing to each parcel respectively, from the construction of the sewer. Assessments according to benefits, as aforesaid, shall be made without reference to any improvements or buildings upon the lands.
Procedure before constructing sewer.	SEC. 7. Before proceeding to the construction of any sewer, any portion of the cost of which is to be paid by special assessment the council shall cause a diagram and plat of the whole sewer district to be made, showing all the streets, public grounds, lots and subdivisions thereof in the district, and the proposed route and location of the sewer, and the depth, grade and dimensions thereof, and shall give notice by publication for at least two weeks in one of the newspapers of the city of the proposed construction of such sewer, and where such diagram and plat may be found for examination, and of the time when the council will meet, and consider suggestions and objections with respect to such sewer that may be made by parties interested.
Idem.	SEC. 8. When the council shall determine to construct any such district sewer, it shall so declare by resolution, designating the district, and describing by reference to the plat and diagram thereof mentioned in the preceding section, the route and location, grade and dimensions of the sewer, and shall determine in the same resolution what part of the estimated expense of the sewer shall be paid from the general sewer fund (being not less than twenty-five per cent) and what part shall be defrayed by special assessment, according to benefits. All maps, plats and diagrams, when finally adopted, shall be filed in the office of the city clerk.
Special assessments, how made.	SEC. 9. Special assessments for the construction of sewers shall be made in the manner provided in this act for making special assessments.
Sewers to be constructed on petition of property owners.	SEC. 10. When the owners of a majority of the lands, liable to taxation in any sewer district, shall petition for the construction of a sewer therein, the council shall construct a district sewer therein, and if the lands included in the line of such proposed sewer are not within any sewer district, a dis-

trict shall be formed for that purpose. In other cases sewers shall be constructed in the discretion of the council.

SEC. 11. Whenever the council shall deem it necessary for the public health it may require by resolution the owners and occupants of lots and premises to construct private drains therefrom to connect with some public sewer or drain, and thereby to drain such lots and premises, and to keep such private drains in repair, and free from obstruction and nuisance; and, if such private drains are not constructed and maintained according to such requirement, the council may cause the work to be done at the expense of such owner or occupant, and the amount of such expense shall be a lien upon the premises drained, and may be collected by special assessment to be levied thereon, or may be assessed upon the general assessment roll as in this act provided.

When private drains to be constructed.

SEC. 12. The owners or occupants of lots and premises shall have the right to connect the same by means of private drains with public sewers and drains at their own expense, under such rules and regulations as the council may prescribe.

How owners may connect with public sewers.

SEC. 13. Such part of the expense of providing ditches and improving water courses as the council shall determine may be defrayed by special assessment upon the lands and premises benefited thereby, in proportion to such benefits.

Ditch, etc., expense, how assessed.

SEC. 14. The expense of repairing and reconstructing public sewers, ditches and water courses shall be paid from the general sewer fund.

Repairing expense, how paid.

TITLE XIV.

STREETS, SIDEWALKS AND PUBLIC GROUNDS.

SECTION 1. The council shall have supervision and control of all public highways, bridges, streets, avenues, alleys, sidewalks and public grounds within the city, and shall cause the same to be kept in reasonable repair.

Council to have control.

SEC. 2. The city shall not be responsible for the care, improvement or repair of streets or alleys, laid out or dedicated to public use by the proprietors of any land, until such street or alley has been actually accepted by the city or open to and used by the public for the term of three years.

When city to become responsible.

SEC. 3. The council shall have authority to lay out, open, widen, straighten, alter, close, vacate or abolish any highway, street or alley in the city, whenever it shall deem the same a public improvement, and if in doing so it shall be necessary to take or use private property, the same may be taken in the manner provided in this act for taking private property for public use. The expense of such improvement shall be paid from the proper general fund of the city.

When private property may be used.

SEC. 4. When the council shall deem it advisable to vacate, discontinue or abolish any street, alley or public ground, or any part thereof, it shall by resolution so declare, and in the

Street, etc., how vacated.

same resolution shall appoint a time, not less than four weeks thereafter, when it will meet and hear objections thereto. Notice of such meeting shall be given by publishing a copy of said resolution not less than four weeks before the time appointed for such meeting, in some newspaper of said city. If, at any time, thereafter the council shall by two-thirds vote of all the aldermen elect by resolution declare such highway, street, alley or public ground vacated, discontinued or abolished, the same shall be deemed vacated, discontinued or abolished.

Council may cause streets, etc., surveyed and recorded.

SEC. 5. The council may cause all public streets, alleys and public grounds to be surveyed, and it may determine and establish the boundaries thereof, and cause the surveys and descriptions thereof to be recorded in the office of the clerk, in a book of street records, and it shall cause surveys and descriptions of all streets, alleys and public grounds opened, laid out, altered, extended, dedicated and accepted and confirmed by the council to be recorded in like manner, and such record shall be prima facie evidence of the existence of such streets, alleys or public grounds mentioned therein. Every resolution discontinuing or vacating any street, alley or public ground shall also be recorded in said book of street records, and the record thereof shall be prima facie evidence of the matters therein set forth.

Vacating resolution to be recorded.

Council to determine grades.

SEC. 6. The council shall have authority to determine and establish the grades of all streets, avenues, alleys and public grounds within the city, and to require improvements and buildings adjacent or abutting upon such streets, alleys, or grounds to be made and constructed in conformity therewith, and may change or alter the grade of any street, alley or public ground, or any part thereof, whenever in its opinion the interests of the public will be promoted thereby. Whenever a grade shall be established or altered, a record and diagram thereof shall be made in the book of street records in the office of the clerk.

Record to be kept.

When special grade assessment not to be made.

SEC. 7. Whenever any street or alley shall have been graded or paved in conformity to grades established by authority of the city and the expenses thereof shall have been assessed upon lots or lands bounded by or abutting upon such streets or alleys, the owner or owners of such premises shall not be subject to any special assessment occasioned by any subsequent change of grade in such street or alley, unless such change be asked for by a majority of the owners of such lots or lands. The expense of all improvements occasioned by such change of grade shall be paid by the city.

Damages, how paid.

SEC. 8. If damage shall result to any owner by change of the established grade of any street, alley, sidewalk, wharf or landing, the council may in its discretion levy and collect the amount thereof by special assessment upon the lots and premises benefited thereby, equal to the extent of such benefits, and pay the amount so collected to the party entitled

thereto, but the city shall incur no liability by reason of anything in this section contained.

SEC. 9. The council shall have power, and it shall be its duty to prescribe by resolution the width, direction and location of all streets, alleys and public grounds of any proposed plat, or subdivision of land, within the city, and to that end any proprietor of land, intending to lay out, divide and plat the same into lots, blocks, public grounds, streets and alleys or otherwise, shall file with the clerk a correct survey, plan and map of such land, showing the subdivisions thereof; and all streets, alleys and public grounds intended to be dedicated to the public, and also the relative position and location of such lots, blocks, streets, alleys and public grounds, with respect to adjacent premises and streets of the city. If such proposed plan and map meets with the approval of the council, in regard to the streets, alleys and public grounds thereof, such approval shall be declared by resolution and the fact of such approval, and the date thereof, shall be endorsed thereon by the clerk, under the corporate seal of the city. If such plan and map be not so approved, the council shall within sixty days after such filing with the clerk, prescribe by resolution the width, direction and location of such streets, alleys and public grounds or any of them, and the proprietor of such proposed plat shall cause such plan and map to conform to such resolution, whereupon such map shall be approved by the council and endorsed as aforesaid. If the council shall fail to approve any map or plan so filed, or to prescribe any changes therein in the manner aforesaid for the space of sixty days after the same has been filed with the clerk, such failure shall be deemed an approval thereof in all respects, and the clerk shall endorse such fact thereon under the corporate seal of the city, which shall have all the force and effect of a regular approval by the council. No such plat shall be valid or be recorded in the office of the register of deeds for the county of Menominee until it shall have been endorsed by the clerk in manner aforesaid. Such proprietor shall, within sixty days after such plan and map shall have been approved as aforesaid, file a certified copy thereof with the clerk for the use and benefit of the city. Such approval shall not in any manner be deemed an acceptance by the city of such streets, alleys and public grounds.

Council to prescribe width, etc., of proposed streets.

Map to be filed with clerk.

When council approves.

When disapproved.

When council fails to act within certain time.

Plat to be endorsed by clerk.

Certified copy, where filed.

SEC. 10. The city shall not be liable to any person for injuries received by him or his property in consequence of any sidewalk or crosswalk in said city not being kept clear of snow and ice, nor shall the city be liable to any person for injuries received by him or his property in consequence of any defect in or upon any sidewalk, crosswalk or street, unless it shall be shown that the defect occasioning the injury had existed thirty days prior to said injury, or unless the city had had actual notice of the existence of said defect five days before the injury occasioned thereby was received.

When city liable for damages.

When may
divide into
street
districts.

SEC. 11. The council shall have power to grade, pave, plank, gravel, curb, and otherwise improve and repair the avenues, streets, lanes and alleys of said city, and for that purpose and for defraying the expenses thereof may divide the city into street districts. The term paving shall be deemed to include the construction of crosswalks, gutters and curbing.

Grading
expenses, how
paid.

SEC. 12. At least twenty-five per cent of the cost and expense of improving any street, lane or alley by grading, paving, planking, graveling, and curbing or otherwise, shall be paid from the general street fund or from the street district fund of the proper street district, or in part from each, and the remainder, or so much thereof as the council shall determine, may be defrayed by special assessment upon lots and premises included in a special assessment district, to be constituted of the lands fronting on or adjoining that part of the street or alley so improved, or proposed so to be, or constituted of lands fronting upon such improvement and such other lands as in the opinion of the council may be benefited by the improvement.

Improvement
of city
property.
Proviso.

SEC. 13. The expense of making any such public improvement in front of any property belonging to the city shall be paid out of the general street fund: Provided, That the cost of all repairs and reconstruction of any public improvement shall be paid out of the proper general fund of the city.

Council to
control, etc.,
sidewalks.

SEC. 14. The council shall have control except as in this act otherwise provided, of all the sidewalks in the public streets and alleys of said city, and may prescribe the width and grade thereof and change the same when necessary. It shall have power to construct and maintain sidewalks and crosswalks in the public streets and alleys and charge the expense thereof upon the lots and premises adjacent to and abutting upon such walks.

May require
owners to
construct.

SEC. 15. The council shall have authority to require the owners and occupants of lots and premises to construct sidewalks in the public streets and alleys adjacent to and abutting upon such lots and premises, and to keep them in repair, and to construct and lay the same upon such lines and grades, and of such width and materials, and in such manner, and within such time, as the council shall by ordinance or resolution prescribe. The council shall have power to prescribe the kind and materials of which all sidewalks shall be constructed, to provide by ordinance limits or districts within which sidewalks shall be built of stone, concrete, cement or of durable substances, aside from wood or plank.

To prescribe
kind.

May require
owners to
keep clean.

SEC. 16. The council shall have power to require the owners and occupants of any lot or premises to remove any snow or ice from the sidewalks in front of or adjacent to such lots and premises, and to keep the same free from obstructions, encroachments, incumbrances, filth and other nuisances.

SEC. 17. If the owner or occupant of any lot or premises shall fail to construct, repair or maintain any sidewalk as mentioned and prescribed in the last two sections, or shall fail to keep the same free from snow, ice and filth, or fail to remove and keep the same free from obstructions, encroachments, incumbrances, or other nuisances, or shall fail to perform any other duty required by the council in respect to such sidewalk within such time and in such manner as the council shall require, said council may cause the same to be done at the expense of such owner or occupant, and the amount of all such expenses incurred by the council shall constitute a lien upon the lot or premises, from the time the expenses are so incurred, and may be assessed and collected against said lot or premises in such manner as is provided in this act for special assessments.

Failure to
build,
clean, etc.

SEC. 18. When any such sidewalk shall have been constructed or repaired by the city, under the provisions of the preceding section, suit may be brought for the cost and expense thereof in the name of the city against the owner or occupant of such lot or premises, in an action of assumpsit, in any court having jurisdiction of the amount. In every such action, a declaration upon the common counts for money paid shall be sufficient: Provided, That the bringing of such action shall not be deemed a waiver of the lien herein mentioned and of the right to enforce the same, as herein provided.

When suit
may be
brought.

SEC. 19. If the owner, occupant or person in charge of any lot or premises shall neglect to repair any sidewalk in front of or adjacent to such premises, or to remove any snow or ice therefrom, or to keep the same free from obstruction and encumbrances in accordance with the requirements of the ordinances and regulations of the council, he shall be liable to the city for the amount of all damages, which shall be recovered against the city for any accident or injury occurring by reason of such neglect.

Proviso.

When owner
liable for
damages.

SEC. 20. Whenever any paving has been ordered by the council upon any public street or public highway in the city, it shall be the duty of any person owning any lot or lots, lands or premises adjoining to or abutting upon any such street, before the same shall be paved, to put in and lay all such sewer, water and gas connections in front of their lands and premises, and carry the same from the pipes in such street to and beyond the curb line of such proposed pavement as the council shall determine to be necessary for the preservation of such proposed paving, when the same shall be laid and put down, and such connection shall be laid, made and put in in the manner and at the time or times as shall be directed by the council. In case the owner of such lot or lots, lands or premises shall neglect or refuse to make, lay or put in such connections at the time or in the manner prescribed by the council, then the council shall cause the same to be made, laid or put in, and the respective owners of such

When owner
to make sewer
connections,
etc.

In case owner
neglects.

lots, lands or premises shall be liable for the cost thereof, together with ten per cent in addition thereto as a penalty to be recovered in an action of debt or assumpsit, or the costs together with the amount of such penalty for which such persons shall be respectively liable, the council shall cause to be reported to the board of assessors, to be levied and assessed by them as a special tax or assessment upon such lot or lots, lands or premises, in the same manner as provided in sections ten, eleven, and twelve of title twenty of this act in respect to special assessments against any separate or single lot, parcel or land, or premises.

TITLE XV.

WATER WORKS.

City may purchase or construct.

SECTION 1. The city of Menominee under the provisions of this act, shall have authority to purchase or construct new and to maintain and extend existing water works for the introduction of water into said city and supplying the same and its inhabitants thereof with pure and wholesome water for the ordinary and extraordinary uses of the inhabitants thereof, the extinguishment of fires and for such other purposes as the council may prescribe.

Council may acquire grounds, etc.

SEC. 2. Said council may acquire, purchase, erect and maintain such reservoirs, canals, aqueducts, sluices, buildings, engines, water wheels, pumps, hydraulic machines, distributing pipes and other apparatus, appurtenances and machinery, and may acquire, purchase, appropriate and own such grounds, real estate, rights and privileges as may be necessary and proper for the securing, construction and maintenance of such water works.

City may borrow certain amount of money.

SEC. 3. It shall be lawful for said city, subject to the provisions of this act, to borrow any sum of money not exceeding ten per cent of the assessed valuation of the property in said city as shown by the last preceding assessment roll to be used exclusively for the purpose of purchasing, constructing or extending water works as provided in the two preceding sections. The council shall have the power to fix the time and place of the payment of the principal and interest of the debt contracted under the provisions of this title and to issue bonds of the city therefor, but the rate of such interest shall not exceed five per cent per annum and such bonds shall not be sold for less than their par value: Provided, That the total amount expended for constructing, purchasing or extending such water works shall not exceed the estimate of expense provided for in section four of this title.

Council to fix time of payment, etc.

Proviso.

When question to be submitted to electors.

SEC. 4. Before any money shall be borrowed, appropriated, raised or expended for the purchase, construction or extension of water works in said city, the council shall cause to be

made an estimate of the expense thereof and the question of raising the amount required for such purpose shall be submitted to the electors, being free-holders of said city, at its next annual election or at a special election called for that purpose by the council as provided in this act as shall be determined by a majority of the electors voting at such election by ballot upon the question: Provided however, That after such water works have been purchased or constructed by said city, the council may then raise and expend in making repairs or alterations or in extending such works, such sum as they may see fit without submitting the question to the electors of the city, but the sum to be raised for such purpose shall be included in and shall not increase the total amount which by the provisions of section five of title twenty-one of this act the council is authorized to raise.

SEC. 5. The connecting or supplying pipes leading from buildings or yards to the distributing pipes shall be inserted and kept in repair at the expense of the owner or occupant of the building or yard and shall not be inserted or connected with the main pipe until a permit therefor shall be obtained from the council. All such connecting or supplying pipes shall be constructed and connected in the manner prescribed by the council.

Proviso.

Connecting pipes, owner to pay expense.

Permit to be obtained.

SEC. 6. The council shall annually on or before the first Monday in June establish a scale of rates to be charged and paid for the supply of water for the next ensuing year to be called water rates, which rates shall be appropriate to different classes of buildings in the city with reference to their dimensions, value, exposure to fire, ordinary or extraordinary uses for dwellings, stores, shops, hotels, factories, livery stables, barns and all other buildings, establishments and trades, yards, number of families or occupants or consumption of water as near as may be practicable, and from time to time either modify, amend, increase or diminish such rates.

Council to establish water rates.

SEC. 7. The council may enact such ordinances and adopt such resolutions as may be necessary for the care, preservation, protection, and control of the water works and all the fixtures, appurtenances, apparatus, buildings and machinery connected therewith or belonging thereto and to carry into effect the provisions of this title and the power herein conferred in respect to the construction, management and control of such water works.

Council may enact ordinances for care and control of.

SEC. 8. When the council shall deem it for the public interest such water works may be purchased or may be constructed and maintained beyond the corporate limits of the city and in such case the council shall have authority to enforce beyond the corporate limits of the city within the county of Menominee and over the buildings, machinery and other property belonging to and connected with such water works in the same manner and to the same extent as if they or it were within the city limits all such ordinances and

When may be established outside city limits.

	police regulations as may be necessary for the care, protection, preservation, management and control thereof.
City may lay pipes, etc.	SEC. 9. For the purpose of operating and constructing, maintaining or extending such water works, the city shall have the right to lay conduit pipes, aqueducts or other necessary works over or under any water course or under and along any street, alley, lane, turnpike road, railroad or highway within said street, but not in such manner as to obstruct the same or impede or prevent travel thereon, and the city authorities may at all times enter upon and dig up such street, alley, road or highway to lay pipes thereon or to construct works beneath the surface thereof, but they shall cause the surface of such street, alley, road or highway to be relaid and restored to its usual state and any damage done thereto to be repaired, and such right shall be contiguous for the purpose of repairing and relaying water pipes upon like conditions.
Not to obstruct streets.	
To re-lay and restore street surface.	
When may appropriate private property.	SEC. 10. If it shall be necessary in the judgment of the council to appropriate private property either within or without the city for the construction and maintenance or for the due operation of water works, the right to occupy and hold the same and the ownership therein and thereto may be acquired by the city in the manner and with like effect as provided in this act for the taking of private property for public use.
Council may contract for water supply.	SEC. 11. The council may contract from year to year or for a period of time not exceeding ten years with any person or persons or with any duly organized corporation for the supplying of such city and the inhabitants thereof with water upon such terms and conditions as may be agreed upon within the limits of this act and may grant to such person, persons or corporation the right to the use of the streets, alleys, wharves and public grounds of said city as shall be necessary to enable such person, persons or corporation to construct and operate proper works for the supply of water for the use of said city and the inhabitants thereof upon such terms and conditions as shall be specified in such contracts.

TITLE XVI.

LIGHTING.

May construct or maintain works.	SECTION 1. It shall be lawful for the city of Menominee, under the provisions of this act, to acquire by purchase or to construct, operate and maintain either independently or in connection with the water works of said city, either within or without the city, works for the purpose of supplying said city and the inhabitants thereof or either with gas, electric or other lights at such times and on such terms and conditions as hereinafter provided.
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SEC. 2. Whenever the council of said city shall by resolution declare that it is expedient for said city to acquire by purchase or to construct as the case may be, works for the purpose of supplying said city and the inhabitants thereof or either with gas, electric or other lights, then the council shall have power to take such action as shall be deemed expedient to accomplish such purpose. When council may establish.

SEC. 3. In case the council shall declare that it is expedient for the city to acquire by purchase or construct, as the case may be, works for the purpose of supplying the city and its inhabitants thereof or either with electric or other lights, then the council shall direct and cause to be made and recorded in their proceedings an estimate of the expense thereof, and the question of raising the amount required for such purpose shall be submitted to the electors, being freeholders of the city at its annual or at a special election called for that purpose by the council as provided in this act and shall be determined by a majority of the electors being freeholders, voting at such election by ballot upon the question. When question to be submitted to electors.

SEC. 4. It shall be lawful for the city to borrow any sum of money not exceeding five per cent of the assessed value of the property in said city as shown by the last preceding assessment roll, to be used exclusively for the purpose of purchasing or constructing and maintaining such lighting works as provided in the preceding sections of this title. The council shall have power to fix the time and place of the payment of the principal and interest of the debt contracted under the provisions of this title and to issue bonds of the city therefor, but the rate of such interest shall not exceed five per cent per annum and such bonds shall not be sold for less than their par value: Provided, That the total amount expended for the purchase or construction of such lighting works shall not exceed the amount of the estimate of the expense thereof provided for in section three of this title. City may borrow money.

SEC. 5. After such lighting works have been purchased or constructed as aforesaid in the city, the council may then raise and expend in making repairs or alterations or in extending such works, such sum as may be deemed advisable without submitting the question to the electors of the city; but the sum so to be raised in any one year shall be included and shall not increase the total amount which by the provisions of section five, title twenty-one of this act, the council is authorized to raise. Council may issue bonds, etc.

SEC. 6. The council shall have power to fix such just and equitable rates as may be deemed advisable for supplying the inhabitants of the city with lights and shall annually on the first Monday in June fix such rates for the year next ensuing. Proviso.

SEC. 7. If it shall be necessary in the judgment of the council to appropriate private property either within or without the city for the construction and maintenance or for the due Council may raise money for repairs, etc.

operation of lighting works, the right to occupy and hold the same and the ownership therein and thereto, may be acquired by the city in the manner and with like effect as provided in this act for the taking of private property for public use.

May make
contract for
lighting.

SEC. 8. The council may contract from year to year or for a period of time not exceeding ten years with any person or persons or with any duly authorized corporation for the supplying of said city or the inhabitants thereof or both with gas, electric or other lights upon such terms and conditions as may be agreed; and may grant to such person or persons or corporation the right to the use of the streets, alleys, wharves and public grounds of the city as shall be necessary to enable such person, persons or corporation to construct and operate proper works for the supplying of such lighting upon such terms and conditions as shall be specified in such contract.

To provide
for control,
care, etc.

SEC. 9. The council may enact such ordinances and adopt such resolutions as may be necessary for the care, protection, preservation and control of the lighting works and all the fixtures, appurtenances, apparatus, buildings and machinery connected therewith or belonging thereto and to carry into effect the provisions of this title and the power herein conferred in respect to the erection, purchase, management and control of such works.

TITLE XVII.

FREE PUBLIC LIBRARY AND READING ROOM.

Council to
establish.

Proviso.

Further
proviso.

Board of
trustees, when
and how
appointed.

SECTION 1. The council of the city of Menominee shall have power to establish and maintain a free public library and reading room, for the use and benefit of the inhabitants of said city: Provided, That whenever the council shall deem it necessary and expedient to provide grounds and buildings to be used and occupied as a free public library and reading room, they may lease the same and provide it with suitable and approved appliances for the management thereof: Provided further, That whenever said council shall determine by resolution that it is expedient to acquire by purchase ground and building, or for the construction of a suitable building in which to establish a free library and reading room, they shall have power to and may raise by tax not to exceed three mills on the dollar annually on all the taxable property in the city, to be levied and collected the same as other general taxes and to be known as the "library fund."

SEC. 2. When the council shall have decided to establish and maintain a public library and reading room, the mayor shall, with the approval of the council, appoint a board of three members to be known as a "board of library trustees," to be chosen from the citizens at large, with reference to their

fitness for such office, one of which shall serve for one year, one for two years, and one for three years, and annually thereafter one for three years. All vacancies may be filled in like manner as original appointments. They shall serve without compensation and shall be subject to removal by the mayor for negligence or want of attention to the duties of their office or for any misuse of their trust.

Vacancies,
how filled.
Compensa-
tion.

SEC. 3. Said board of trustees shall immediately after appointment, meet and organize, by the election of one of their number president. The city clerk shall be clerk of said board. Said board shall make and adopt such rules and by-laws and regulations for their own guidance and for the government of the library and reading-room, as may be expedient, and not inconsistent with this act. They shall have control of the expenditure of all moneys collected to the credit of the library fund, subject to the approval of the council, and the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose: Provided, That the construction of any building for such purpose shall be under the supervision of the council: Provided further, That all moneys received for such library fund shall be deposited in the treasury of said city to the credit of the library fund, and shall be kept separate and apart from other moneys of the city, and drawn upon by the city clerk, countersigned by the mayor, upon the properly authenticated vouchers of the board of library trustees, audited by the finance committee, and no debt, liability or expenditure shall be incurred or contracted for except the same shall have been authorized by the council. Said board of trustees may appoint a suitable librarian and necessary assistants, and recommend to the council their compensation, and the council shall fix the same and provide for the payment thereof. Said board shall have power to remove any appointees; and shall in general carry out the spirit and intent of this title in establishing and maintaining a free public library and reading room.

Powers and
duties of
board.

Proviso.

Further
proviso.

To appoint
librarian, etc.

SEC. 4. The council shall have power to pass ordinances imposing suitable penalties for the punishment of persons committing injury upon such library, or the grounds, or other property thereof, or for wilful injury to or failure to return any book belonging to such library or for the violation of any of the rules and regulations governing the same.

Ordinances,
council may
pass.

SEC. 5. The board shall make and report to the council on the third Monday in March in each year, and oftener when required so to do by the council, a statement of the condition of their trust at the date of their report, the various sums of money received from the library fund and from other sources, and what sums may have been expended, and for what purposes; the number of books and periodicals on hand; the number lost or missing; the number of visitors attending; the number of books loaned out, and the general character

Board to re-
port to coun-
cil, what to
contain.

and kind of such books, with such other statistics, information and suggestions as they may deem of general interest. All such portions of such report as relates to the receipt and expenditures of moneys as well as the number of books on hand, books lost or missing and books purchased shall be verified by affidavit.

Donations,
how made and
received.

SEC. 6. Any person desiring to make donations of money, personal property, or real estate for the benefit of such library and reading room shall have the right to vest the title to the money or other personal property or real estate, so donated, in the board of trustees, created by this title, to be held and controlled by such board when accepted according to the terms of the deed, gift, devise or bequest of such property; and as to such property the said board shall be held and considered to be special trustees.

TITLE XVIII.

COSTS OF IMPROVEMENTS—SPECIAL ASSESSMENTS.

Expenses paid
from city
funds.

SECTION 1. The cost and expense of the following improvements including the necessary lands therefor namely: For city hall and other public buildings and offices for the use of the city officers, engine houses and structures for the fire department, for water works, for lighting purposes, hospitals, quarantine grounds or pest houses, market houses, city prisons and work houses, and public wharves and landings upon navigable waters, levees and embankments, shall be paid from the proper general funds of the city. When by the provisions of this act the cost and expenses of any local or public improvement may be defrayed in whole or in part by special assessment upon lands abutting upon and adjacent to or otherwise benefited by the improvements, such assessment may be made as in this title provided.

Special
assessment.

Council to
determine
apportion-
ment of
special
assessment.

SEC. 2. When the council shall determine to make any public improvement or repairs, and defray the whole or any part of the cost and expenses thereof by special assessment, they shall so declare by resolution, stating the improvement, and what part or proportion of the expenses thereof shall be paid by special assessment and what part, if any, shall be appropriated from the general funds of the city, or from street district funds, and shall designate the district or lands and premises upon which the special assessment shall be levied.

When council
to file esti-
mates.

SEC. 3. Before ordering any public improvements or repairs, any part of the expense of which is to be defrayed by special assessment, the council shall cause estimates of the expense thereof to be made, and also plats and diagrams, when practicable of the work and of the locality to be improved, and deposit the same with the city clerk for public

examination; and they shall give notice thereof and of the proposed improvement or work, and of the district to be assessed, by publication for two weeks at least in one of the newspapers of the city, and of the time when the council will meet and consider any objections thereto. Unless a majority of the persons to be assessed shall petition therefor no such improvement or work shall be ordered, except by the concurrence of two-thirds of the aldermen elect.

Notice of proposed improvement, how given.

When improvement may be ordered.

SEC. 4. The cost and expenses of any improvement which may be defrayed by special assessment shall include the costs of surveys, plans, assessments and costs of construction. In no case shall the whole amount to be levied by special assessment upon any lot or premises for any one improvement exceed twenty per cent of the value of such lot or land, as valued and assessed for State and county taxation in the last preceding tax roll; any cost exceeding that per cent which would otherwise be chargeable on such lot or premises shall be paid from the general funds of the city.

Cost assessed, what to include. Limit of amount may be levied.

SEC. 5. Special assessments to defray the estimated cost of any improvement shall be levied before the making of the improvement.

Special assessments, when levied.

SEC. 6. When any special assessment is to be made pro rata upon the lots and premises in any special district, according to frontage or benefits, the council shall, by resolution, direct the same to be made by the board of assessors and shall state therein the amount to be assessed and whether according to frontage or benefits; and describe or designate the lots and premises or locality constituting the district to be assessed.

By whom made.

SEC. 7. Upon receiving such order and directions, the board of assessors shall make out all [an] assessment roll, entering and describing therein all the lots, premises and parcels of land to be assessed, with the names of the persons, if known, chargeable with the assessments thereon; and shall levy thereon and against said persons the amount to be assessed, in the manner directed by the council and the provisions of this act, applicable to the assessment. In all cases where the ownership of any description is unknown to the assessors, they shall in lieu of the name of the owner insert the name "unknown," and if by mistake or otherwise, any person shall be improperly designated as the owner of any lot, parcel of land or premises, or if the same shall be assessed without the name of the owner, or in the name of a person other than the owner, such assessment shall not, for any such cause, be vitiated, but shall, in all respects, be as valid upon and against such lot, parcel or premises as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed, be a lien on such lot, parcel of land or premises, and collected as in other cases.

To make assessment roll.

When owner unknown.

Board to assess
as directed.

SEC. 8. If the assessment is required to be according to frontage, the board of assessors shall assess to each lot or parcel of land such relative portion of the whole amount to be levied as the length of front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed, unless on account of the shape or size of any lot, an assessment for a different number of feet would be more equitable. If the assessment is directed to be according to benefits, they shall assess upon each lot such relative portion of the whole sum to be levied as shall proportionate to the estimated benefits resulting to such lot from the improvement. When the assessors shall have completed the assessment they shall report the same to the council; such report to be signed by the assessors, may be in the form of a certificate, endorsed on the assessment roll, as follows:

Report to be
made, form of.

STATE OF MICHIGAN,)
City of Menominee.) : ss.

To the Council of the City of Menominee.

We hereby certify and report that the foregoing is the special assessment roll, and the assessment made by us pursuant to a resolution of the council of said city, adopted (give date), for the purpose of paying that part of the cost which the council decided should be paid and borne by special assessment for the (here insert the object of the assessment): That in making such assessment we have as near as may be, and according to our best judgment, conformed in all things to the directions contained in the resolutions of the council hereinbefore referred to, and the charter of the city relating to such assessments.

Dated.....
.....
.....

Board of Assessors.

Special assess-
ment against
single lots,
etc., how
made.

SEC. 9. When any expense shall be incurred by the city upon or in respect to any separate or single lot, parcel of land or premises which, by the provisions of this act, the council is authorized to charge and collect as a special assessment against the same, and not being of that class of special assessments required to be made pro rata upon several lots or parcels of land in a special assessment district, an account of the labor or services for which such expense was incurred, verified by the officer or person performing the labor or services, or causing the same to be done, with a description of the lot or premises upon or in respect to which the expense was incurred and the name of the owner or person, if known, chargeable therewith, shall be reported to the council in such manner as it shall prescribe. And the provisions of the preceding sections of this chapter with refer-

ence to special assessments generally, and the proceedings necessary to be had before making the improvement shall not apply to assessments to cover the expenses incurred, in respect to that class of improvements contemplated in this section.

SEC. 10. The council shall determine what amount or part of every such expense shall be charged, and the person, if known, against whom, and the premises upon which the same shall be levied as a special assessment; and as often as the council shall deem it expedient it shall require all of the several amounts so reported and determined, and the several lots or premises, and the persons chargeable therewith, respectively, to be reported by the city clerk to the board of assessors for assessment.

Who to determine amount charged.

What report may require clerk to make.

SEC. 11. Upon receiving the report mentioned in the preceding section, the board of assessors shall make a special assessment roll, and levy a special assessment therein, upon each lot or parcel of land so reported to them, and against the persons chargeable therewith, if known, the whole amount or amounts of all the charges so directed as aforesaid to be levied upon each of such lots or premises respectively and when completed they shall report the assessment to the council.

When board to make special assessment.

To report to council.

SEC. 12. When any special assessment shall be reported by the board of assessors to the council, as in this title directed, the same shall be filed in the office of the city clerk and numbered consecutively. Before adopting such assessment, the council shall cause notice to be published two weeks at least, in some newspaper of the city, of the filing of the same with the city clerk, and appointing a time when the council and assessors will meet to review such assessment. Any person objecting to the assessment may file his objections thereto in writing with the city clerk. The notice provided for in this section may be addressed to the persons whose names appear upon the special assessment roll, and to all persons interested therein, and may be in the following form:

Where filed.

Notice of assessment to be published.

Objections, where filed.

Form of notice.

NOTICE OF SPECIAL ASSESSMENT.

To (insert the names of the person against whom the assessment appears), and to all persons interested, take notice: That the roll of the special assessment heretofore made by the board of assessors for the purpose of defraying that part of the cost which the council decided should be paid and borne by special assessment for the (insert the object of the assessment and the locality of the proposed improvement in general terms) is now on file in my office for public inspection. Notice is also hereby given that the council and board of assessors of the city of Menominee will meet at the council room in said city (insert the date fixed upon) to review said assessment, at which time and place opportunity will be given all persons interested to be heard.

Dated.....City Clerk.

Powers of council regarding assessment roll.

SEC. 13. At the time and place appointed for that purpose, as aforesaid, the council and board of assessors shall meet and there, or at some adjourned meeting, review the assessment and shall hear any objections to any assessment which may be made by any person deeming himself aggrieved thereby, and the council may correct said roll as to any assessment, or description of premises, appearing therein, and may confirm it as reported, or as corrected; or it may refer the assessment back to the board of assessors for revision; or annul it and direct a new assessment, in which case the same proceedings shall be had as in respect to the previous assessment. When a special assessment shall be confirmed, the city clerk shall make an endorsement upon the roll showing the date of confirmation.

Clerk to endorse when confirmed.

Confirmation to be final.

SEC. 14. When any special assessment shall be confirmed by the council, it shall be final and conclusive.

What to constitute a lien.

SEC. 15. All special assessments shall, from the date of the confirmation thereof, constitute a lien upon the respective lots or parcels of land assessed, and shall be charged against the persons to whom assessed until paid.

How may be paid.

SEC. 16. Upon the confirmation of any special assessment, the amount thereof may be divided into not more than five installments, one of which shall be collected each year, at such times as the council shall determine, with annual interest at a rate not exceeding six per cent per annum, but the whole assessment after confirmation may be paid to the city treasurer at any time in full, with the proportionate interest thereon.

When due.

SEC. 17. All special assessments, except such installments thereof as the council shall make payable at a future time, as provided in the preceding section, shall be due and payable upon confirmation.

Roll to be made for each installment.

SEC. 18. If any special assessment shall be divided into installments, a special assessment roll shall be made for each installment as the same shall become due, with the accrued interest upon all unpaid installments included and assessed therein. Such special rolls may be made and confirmed without notice to the persons assessed.

Procedure when lands divided after assessment.

SEC. 19. Should any lots or lands be divided after a special assessment thereon has been confirmed and divided into installments, the council may require the board of assessors to apportion the uncollected amounts upon the several parts of lots and lands so divided. The report of such apportionment, when confirmed, shall be conclusive upon all parties, and all assessments thereafter made upon such lots or lands shall be according to such division.

When assessment excessive or insufficient.

SEC. 20. Should any special assessment prove insufficient to pay for the improvement or work for which it was levied, and the expenses incident thereto, the council may, within the limitations prescribed for such assessments, make an additional pro rata assessment to supply the deficiency, and in

case a larger amount shall have been collected than was necessary, the excess shall be refunded ratably to those by whom it was paid.

SEC. 21. Whenever any special assessment shall, in the opinion of the council, be invalid by reason of irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessment to be illegal, the council shall, whether the improvement has been made or not, or whether any part of the assessments have been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on such reassessment and for the collection thereof shall be conducted in the same manner as provided for the original assessment, and whenever any sum or part thereof, levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment on said premises and the reassessment shall to that extent be deemed satisfied. When invalid.

SEC. 22. No judgment or decree, nor any act of the council vacating a special assessment shall destroy or impair the lien of the city upon the premises assessed, for such amount of the assessment as may be equitably charged against the same, or, as by a regular mode or proceeding might have been lawfully assessed thereon. Judgment not to impair lien.

SEC. 23. When any special assessment shall be confirmed and be payable as hereinbefore provided, the council may direct the assessment so made in the special assessment roll to be collected directly therefrom; and thereupon the city clerk shall attach his warrant to a certified copy of said special assessment roll, therein commanding the city treasurer to collect from each of the persons assessed in said roll the amount of money assessed to and set opposite his name therein and in case any person named in said roll shall neglect or refuse to pay his assessment upon demand, then to levy and collect the same by distress and sale of the goods and chattels of such person and return said roll and warrant, together with his doings thereon, within sixty days from the date of such warrant. When assessment collected direct from roll.

SEC. 24. Upon receiving said assessment roll and warrant, the city treasurer shall proceed to collect the amounts assessed therein. If any person shall neglect or refuse to pay his assessment upon demand, the treasurer shall seize and levy upon any personal property found within the city, or elsewhere within the county, belonging to such person, and sell the same at public auction, first giving six days' notice of the time and place of such sale, by posting such notices in three of the most public places in the city or township where such property may be found. The proceeds of such sale, or so much thereof as may be necessary for that purpose, shall be applied to the payment of the assessment, and a percentage When city treasurer to collect.
May levy on personal property.
Disposition of surplus of sale.

of five per centum upon the amount of the assessment for the costs and expenses of said seizure and sale, and the surplus, if any, shall be paid to the person entitled thereto.

Treasurer to
make return
to clerk.

SEC. 25. The treasurer shall make return of said assessment roll and warrant to the city clerk according to the requirement of the warrant, and if any of the assessments in said roll shall be returned unpaid, the treasurer shall attach to his return a statement, verified by affidavit, containing a list of the persons delinquent, and a description of the lots and premises upon which the assessments remain unpaid, and the amount unpaid on each.

When warrant
renewed.

SEC. 26. Said warrant may be renewed from time to time by the city clerk if the council shall so direct, and for such time as they shall determine, and during the time of such renewal the warrant shall have the same force, and the city treasurer shall perform the same duties and make the like returns, as above provided. In case any assessment shall be finally returned by the city treasurer unpaid, as aforesaid, the same shall be certified to the city clerk, as provided in the next preceding section. Upon receiving such statement and return the city clerk shall levy the sums therein mentioned upon the respective lots and premises to which they are especially assessed and against the persons chargeable therewith, as a tax, in the city tax roll next thereafter to be made, in a column for special assessments, and thereupon the amounts so levied in said tax roll shall be collected and enforced with the other taxes in the city tax roll and in the same manner; and shall continue to be a lien upon the premises assessed until paid, and when collected shall be paid into the city treasury.

Special assess-
ment, how
collected.

SEC. 27. At any time a special assessment has become payable, the same may be collected by suit, in the name of the city, against the person assessed, in an action of *assumpsit*, in any court having jurisdiction of the amount. In every such action a declaration upon the common count for money paid shall be sufficient. The special assessment roll and a certified order or resolution confirming the same shall be *prima facie* evidence of the regularity of all the proceedings in making the assessment, and of the right of the city to recover judgment therefor.

What to be
evidence.

Procedure
when assess-
ment improv-
erly made.

SEC. 28. If in any such action it shall appear that by reason of any irregularities or informalities, the assessment has not been properly made against the defendant, or upon the lot or premises sought to be charged, the court may, nevertheless, on satisfactory proof that expense has been incurred by the city, which is a proper charge against the defendant, or the lot or premises in question, render judgment for the amount properly chargeable against such defendant, or upon such lot or premises.

TITLE XIX.

FINANCE AND TAXATION.

SECTION 1. The fiscal year of the city organized under this act shall commence on the first Monday of March each year, unless otherwise provided by ordinance. Fiscal year.

SEC. 2. The council of the city shall have authority, within the limitations herein prescribed, to raise annually by taxation, within the corporation, such sum of money as may be necessary to defray the expense and pay the liabilities of the city, and to carry into effect the powers in this act granted. Council may raise money.

SEC. 3. The revenues raised by general tax upon all the property in the city or by loan to be repaid by such tax shall be divided into so many of the following general funds as are necessary: Money raised by general tax, how divided.

First. Contingent fund,—To defray the contingent and other expenses of the city for the payment of which from some other fund no provision is made; Contingent fund.

Second. Fire department fund,—To defray the expenses of purchasing grounds, erecting engine houses thereon, purchasing engines and other fire apparatus, and all other expenses necessary to maintain the fire department of the city; Fire department.

Third. General street fund,—To defray the expenses of opening, widening, extending, altering and vacating streets, alleys and public grounds, and for grading, paving, curbing, graveling and otherwise improving, repairing and clearing the streets, alleys and public grounds of the city, and for the construction and repair of sidewalks and crosswalks, and for the care thereof; General street.

Fourth. General sewer fund,—To defray the expenses of sewers, drains, ditches and drainage, and the improvement of water courses; General sewer.

Fifth. Bridge fund,—For the construction and maintenance of bridges; Bridge.

Sixth. Water fund,—For constructing, purchasing, maintaining and extending a system of water works and for constructing reservoirs and cisterns, and providing for supplies of water; Water.

Seventh. Public building fund,—For providing for public building, and for the purchase of lands therefor, and for the erection, preservation and repair of any such buildings, city hall, offices, library building, prisons, watch houses and hospitals as the council is authorized to erect and maintain, and not herein otherwise provided for; Public building.

Eighth. Police fund,—For the maintenance of the police of the city, and to defray the expenses of the arrest and punishment of those violating the ordinances of the city; Police.

Ninth. Cemetery fund;

Cemetery.

Tenth. Interest and sinking fund,—For the payment of the public debt of the city and the interest thereon; Interest and sinking.

Park.	Eleventh. Park fund,—For the purchase of grounds for public parks and for the maintenance and improvement thereof;
Light.	Twelfth. Light fund,—For the construction, purchase and maintenance of electric or other lights;
Library.	Thirteenth. Library fund,—For the purpose of maintaining a free library and reading-room in said city;
Salary.	Fourteenth. Salary fund,—For the purpose of paying the salary of all officers of said city;
Other.	Fifteenth. Such other funds as the council may from time to time constitute.
By special taxation, how divided.	SEC. 4. Revenue and moneys raised by taxation in special districts of the city shall be divided into the following special funds:
Street district fund.	First. A street district fund, for each street district for defraying the expenses of grading, improving, repairing and working upon the streets therein, and for the payment of all street expenses, which the council shall charge upon the street district;
District sewer.	Second. A district sewer fund, for each main sewer district for the payment of the costs and expenses of sewers and drainage in, and chargeable to the main sewer district, when the city shall be divided into such districts;
Special assessment.	Third. Special assessment funds: any money raised by special assessment to defray the expenses of any work, paving, improvement, repairs, or drainage for which it was raised.
Amount may be raised by general tax.	SEC. 5. The aggregate amount which the council may raise by general tax upon the taxable real and personal property in the city, for the purpose of defraying the general expenses and liabilities of the corporation, and for all purposes for which the several general funds mentioned in section three of this title are constituted exclusive of taxes for schools and schoolhouse purposes shall not, except as herein otherwise provided, exceed in one year, one per cent.
Special tax for street purposes.	SEC. 6. The council may also raise by tax in each street district for defraying the expenses of working upon, improving and repairing and cleaning the streets of the district and for all purposes for which the street district fund above mentioned is constituted, a sum not exceeding in any one year one-fourth of one per cent on the assessed value of the taxable real and personal property in the district.
Additional amounts.	SEC. 7. In addition to the above amounts, the council may raise by special assessment in sewer districts and special assessment districts for the purpose of grading, paving, curbing, graveling and otherwise improving the streets, and for constructing sewers and drains and making other local improvements chargeable upon the lands and property in the district, according to frontage or benefits, and for all other purposes for which the main sewer funds and special assessment funds are constituted, such sums as they shall deem necessary, but not exceeding in any one year five per cent on the assessed

value of the property in the sewer district, or special assessment district, as the case may be, as shown by the last preceding assessment roll of the city.

SEC. 8. The council may also raise such further sum, annually, not exceeding five mills on the dollar of the assessed valuation of the property in the city, as may be necessary to provide an interest and sinking fund to pay the funded debts of the city and the interest thereon.

Interest and sinking fund.

SEC. 9. It shall be the duty of the council to cause estimates to be made in the month of September in each year, of all the expenditures which will be required to be made from the several general funds of the city during the next fiscal year, for the payment of interest and debts to fall due, or for lands to be acquired, buildings to be erected or repaired, bridges to be built, and for the paving of streets, the construction of sewers, making improvements, and for the support of the police and fire department, and for defraying the current expenses of the year, and for every other purpose for which any money will be required to be paid from any of the several general funds during such fiscal year; and also, to estimate the amounts that will be required to be expended from street district funds during said next fiscal year, in working upon, improving and repairing the streets in the several street districts of the city.

Estimate of next year's expense to be made.

SEC. 10. The council shall also in the same month determine upon the amount required to be raised in the next general tax levy to meet any deficiencies for the current year; also the amount or part of any special assessments which they require to be levied or reassessed in the next general tax rolls of the city upon lands in any main sewer district, or upon any parcel of land, or against any particular person as a special assessment.

To determine amount required raised by general tax.

By special assessments.

SEC. 11. The council shall also in the said month of September pass an ordinance, to be termed the annual appropriation bill, in which they shall make provision for, and appropriate the several amounts required to defray the expenditure and liabilities of the corporation for the next fiscal year payable from the several general funds, and from the street district funds as estimated and determined upon, as provided in section nine of this title, and order the same, or so much of said amounts as may be necessary, to be raised by tax with the next general tax levy, or by loans, or both, and to be paid into the several general funds and street district funds of the city; but the whole amount so ordered to be raised by tax or loan, or by both, shall not, except as herein otherwise provided, exceed the amount which the city is authorized by sections five, six and eight of this title, to raise by general tax during the year. The council shall specify in such ordinance the objects and purposes for which said appropriations are made, and the amount appropriated for each object or purpose, and to each of the general funds and street district funds. The council shall also designate in

Annual appropriation bill.

Amount may be raised.

Ordinance to specify objects, etc.

the appropriation bill the sums, if any, required to be levied to meet any deficiency for the current year, and the amount or part of any special assessment, or other sum which they require to be levied or reassessed with the next general tax as mentioned in section ten of this title, and the disposition to be made of such moneys, and shall also designate in said bill any local improvements which they may deem advisable to make during the next fiscal year to be paid for in whole or in part by special assessments, and the estimated cost thereof.

Who to certify
to amounts
raised.

SEC. 12. All sums ordered in the annual appropriation bill in any year, to be raised for the several general funds, and all amounts reported to the council by the board of education, to be raised for schools, library and schoolhouse purposes, as provided in title twenty-two of this act, shall be certified to the clerk of the board of supervisors of the county, on or before the first Monday of October. And all sums ordered in said bill to be levied or reassessed in street or sewer districts, or as special assessments, shall be certified at the same time to the city clerk as provided in this title; and all such sums shall be levied and collected with the State and county taxes next thereafter to be levied within the city.

When further
sums not to
be raised.

SEC. 13. After the passage of the annual appropriation bill no further sums shall be used, raised or appropriated; nor shall any further liability be incurred for any purpose, to be paid from any general fund or street district fund, during the fiscal year for which the appropriation was made, unless the proposition to make the appropriation shall be sanctioned by a majority vote of the electors, being freeholders in the city, voting upon the proposition at the next annual city election or at any special election called for that purpose. But this section shall not prohibit the council from making any necessary repairs or expenditures at a cost not exceeding five thousand dollars, the necessity for which is caused by casualty or accident, happening after making the annual appropriation for the year, and from borrowing the money therefor.

Council may
make neces-
sary repairs.

Appropriations for im-
provements,
etc., to be
specified in
annual bill.

SEC. 14. No improvement, work, repairs or expense, to be paid for out of any general fund, or street district fund, excepting as herein otherwise provided, shall be ordered, commenced or contracted for, or incurred in any fiscal year, unless in pursuance of an appropriation specially made therefor, in the last preceding annual appropriation bill, nor shall any expenditure be made or liability be incurred, in any such year, for any such work, improvement, repairs, or for any purpose, exceeding the appropriation so made therefor; nor shall any expenditure be made, or money be paid out of any general or street district fund, for any purpose, unless appropriated for that purpose in said bill.

Limit to
amount paid
by special
assessment.

SEC. 15. No work or improvement to be paid for by special assessment, costing more than three thousand dollars, shall be ordered, commenced or contracted for; nor shall any assessment be levied therefor, in any year, unless the intention to make such improvement or expenditure, and to defray the

cost thereof by special assessment, was set forth in the last preceding annual appropriation bill.

SEC. 16. No public work, improvement or expenditure shall be commenced, nor any contract therefor be let or made, except as herein otherwise provided, until a tax or assessment shall have been levied to pay the cost and expense thereof, and no such work or improvement shall be paid for, or contracted to be paid for, except from the proceeds of the tax or assessment thus levied, or from the proceeds of bonds issued in anticipation of the collection of said tax.

Tax to be levied before work commenced.

SEC. 17. Instead of levying a tax for the whole amount authorized by this act to be raised in that manner in any year, for the purpose of the general and street district funds, the council may, in its discretion, raise a part thereof by tax and a part thereof by loan: Provided, That the aggregate amount of taxes and loans so raised and made, shall not exceed the amount for which a tax might be levied for the same year.

When council may raise certain amount by loan.

Proviso.

SEC. 18. The council shall also have authority to raise moneys in anticipation of the receipts from special assessments for the purpose of defraying the costs of the improvement for which the assessment was levied. Such loan shall not exceed the amount of the assessment for the completion of the whole work.

May raise money in anticipation of receipts.

SEC. 19. Should any greater amount be required in any year for the purpose of erecting public buildings, or for the purchase of ground therefor, or for other public improvements or purposes, to be paid from the general funds of the city, than can be raised by the council under the foregoing provisions of this title, such amount may be raised by tax or loan, or partly by tax and partly by loan, if authorized by a majority vote of the qualified electors of said city, voting upon the question at an annual city election or special election called for that purpose. The amount that may be voted or raised in any year under the provisions of this section, shall not exceed one per cent of the assessed valuation of the property in the city as shown by the last preceding tax rolls made therein: Provided, That the aggregate amount of existing loans under the provisions of this section shall at no time exceed the sum of two hundred thousand dollars.

How sums greater than authorized amount raised.

Limit of amount.

Proviso.

SEC. 20. The proposition to raise such additional amount shall be submitted to a vote of the electors of said city, by an ordinance or resolution of the council, distinctly stating the purpose of the proposed expenditure, the amount proposed to be raised therefor, and whether by tax or loan. Such ordinance or resolution shall be passed, and published in one or more of the newspapers of the city, and copies thereof posted in five of the most public places in each ward of the city, at least two weeks before the election at which the vote is to be taken. Such vote shall be by ballot.

How submitted to electors.

Ordinance to be published.

the appropriation bill the sums, if any, required to be levied to meet any deficiency for the current year, and the amount or part of any special assessment, or other sum which they require to be levied or reassessed with the next general tax as mentioned in section ten of this title, and the disposition to be made of such moneys, and shall also designate in said bill any local improvements which they may deem advisable to make during the next fiscal year to be paid for in whole or in part by special assessments, and the estimated cost thereof.

Who to certify
to amounts
raised.

SEC. 12. All sums ordered in the annual appropriation bill in any year, to be raised for the several general funds, and all amounts reported to the council by the board of education, to be raised for schools, library and schoolhouse purposes, as provided in title twenty-two of this act, shall be certified to the clerk of the board of supervisors of the county, on or before the first Monday of October. And all sums ordered in said bill to be levied or reassessed in street or sewer districts, or as special assessments, shall be certified at the same time to the city clerk as provided in this title; and all such sums shall be levied and collected with the State and county taxes next thereafter to be levied within the city.

When further
sums not to
be raised.

SEC. 13. After the passage of the annual appropriation bill no further sums shall be used, raised or appropriated; nor shall any further liability be incurred for any purpose, to be paid from any general fund or street district fund, during the fiscal year for which the appropriation was made, unless the proposition to make the appropriation shall be sanctioned by a majority vote of the electors, being freeholders in the city, voting upon the proposition at the next annual city election or at any special election called for that purpose. But this section shall not prohibit the council from making any necessary repairs or expenditures at a cost not exceeding five thousand dollars, the necessity for which is caused by casualty or accident, happening after making the annual appropriation for the year, and from borrowing the money therefor.

Council may
make neces-
sary repairs.

Appropriations for im-
provements,
etc., to be
specified in
annual bill.

SEC. 14. No improvement, work, repairs or expense, to be paid for out of any general fund, or street district fund, excepting as herein otherwise provided, shall be ordered, commenced or contracted for, or incurred in any fiscal year, unless in pursuance of an appropriation specially made therefor, in the last preceding annual appropriation bill, nor shall any expenditure be made or liability be incurred, in any such year, for any such work, improvement, repairs, or for any purpose, exceeding the appropriation so made therefor; nor shall any expenditure be made, or money be paid out of any general or street district fund, for any purpose, unless appropriated for that purpose in said bill.

Limit to
amount paid
by special
assessment.

SEC. 15. No work or improvement to be paid for by special assessment, costing more than three thousand dollars, shall be ordered, commenced or contracted for; nor shall any assessment be levied therefor, in any year, unless the intention to make such improvement or expenditure, and to defray the

cost thereof by special assessment, was set forth in the last preceding annual appropriation bill.

SEC. 16. No public work, improvement or expenditure shall be commenced, nor any contract therefor be let or made, except as herein otherwise provided, until a tax or assessment shall have been levied to pay the cost and expense thereof, and no such work or improvement shall be paid for, or contracted to be paid for, except from the proceeds of the tax or assessment thus levied, or from the proceeds of bonds issued in anticipation of the collection of said tax.

Tax to be levied before work commenced.

SEC. 17. Instead of levying a tax for the whole amount authorized by this act to be raised in that manner in any year, for the purpose of the general and street district funds, the council may, in its discretion, raise a part thereof by tax and a part thereof by loan: Provided, That the aggregate amount of taxes and loans so raised and made, shall not exceed the amount for which a tax might be levied for the same year.

When council may raise certain amount by loan.

Proviso.

SEC. 18. The council shall also have authority to raise moneys in anticipation of the receipts from special assessments for the purpose of defraying the costs of the improvement for which the assessment was levied. Such loan shall not exceed the amount of the assessment for the completion of the whole work.

May raise money in anticipation of receipts.

SEC. 19. Should any greater amount be required in any year for the purpose of erecting public buildings, or for the purchase of ground therefor, or for other public improvements or purposes, to be paid from the general funds of the city, than can be raised by the council under the foregoing provisions of this title, such amount may be raised by tax or loan, or partly by tax and partly by loan, if authorized by a majority vote of the qualified electors of said city, voting upon the question at an annual city election or special election called for that purpose. The amount that may be voted or raised in any year under the provisions of this section, shall not exceed one per cent of the assessed valuation of the property in the city as shown by the last preceding tax rolls made therein: Provided, That the aggregate amount of existing loans under the provisions of this section shall at no time exceed the sum of two hundred thousand dollars.

How sums greater than authorized amount raised.

Limit of amount.

Proviso.

SEC. 20. The proposition to raise such additional amount shall be submitted to a vote of the electors of said city, by an ordinance or resolution of the council, distinctly stating the purpose of the proposed expenditure, the amount proposed to be raised therefor, and whether by tax or loan. Such ordinance or resolution shall be passed, and published in one or more of the newspapers of the city, and copies thereof posted in five of the most public places in each ward of the city, at least two weeks before the election at which the vote is to be taken. Such vote shall be by ballot.

How submitted to electors.

Ordinance to be published.

Money appropriated, how distributed.

SEC. 21. All moneys raised, loaned or appropriated for the purposes of any particular fund, shall be paid in and credited to such fund, and shall be applied to the purposes for which such moneys were raised and received, and to none other; nor shall the moneys belonging to one fund be transferred to any other fund, or be applied to any purpose for which such other fund is constituted, except when there shall be a surplus in any general fund at the close of any fiscal year. In such case the surplus may be transferred to the sinking fund, should there be a deficiency in that fund, otherwise the council may apply such surplus as they shall deem proper. Moneys not received or appropriated for any particular fund shall be credited to the contingent fund.

Money, how drawn from treasury.

SEC. 22. No money shall be drawn from the treasury, except in pursuance of the authority and appropriation of the council and upon the warrant of the clerk, countersigned by the mayor. Such warrant shall specify the fund from which it is payable and shall be paid from no other fund.

Warrants not to be drawn after fund exhausted.

SEC. 23. No warrant shall be drawn upon the treasury, after the fund from which it should be paid has been exhausted; nor when the liabilities outstanding, and previously incurred and payable from such fund, are sufficient to exhaust it. Any warrant, draft or contract, payable by the provisions of this act from any particular fund, excepting bonds given for loans herein authorized and issued or made after such fund has been exhausted by previous payments or by previous liabilities payable from such fund, shall be void as against the city.

Loans not to exceed amounts prescribed.

Who to keep record of bonds.

When new bonds may be issued.

SEC. 24. No loans shall be made by the council, or by its authority, in any year exceeding the amounts prescribed in this act. For any loan lawfully made, the bonds of the city may be issued, bearing a legal rate of interest. A record showing the dates, numbers and amounts of all bonds issued, and when due, shall be kept by the city clerk. When deemed necessary by the council to extend the time of payment, new bonds may be issued in place of former bonds falling due, in such manner as merely to change, but not increase the indebtedness of the city. Each bond shall show upon its face the class of indebtedness to which it belongs, and from what fund it is payable.

Accounts of city officers, how audited and settled.

To make detailed statement.

SEC. 25. Immediately upon the close of the fiscal year the council shall audit and settle the accounts of the city treasurer and other officers of the city, and the accounts also, as far as practicable, of all persons having claims against the city, or accounts with it not previously audited; and shall make out a statement in detail of the receipts and expenditures of the corporation during the preceding year, which statement shall distinctly show the amount of all taxes raised during the preceding year for all purposes, and the amount raised for each fund; the amount levied by special assessments and the amount collected on each; and the amount of

money borrowed, and upon what time and terms, and for what purpose; also the items and amounts received from all other sources during the year, and the objects thereof, classifying the expenditures for each purpose separately. Said statement shall also show the amount and items of all indebtedness outstanding against the city, and to whom payable, and with what rate of interest; the amount of salary or compensation paid or payable to each officer of the city for the year, and such other information as shall be necessary to a full understanding of all the financial concerns of the city.

What to show.

SEC. 26. Said statement, signed by the mayor and clerk shall be filed in the office of the city clerk, and a copy thereof published in one of the newspapers of the city.

Where filed and by whom signed.

SEC. 27. If any officer of the corporation shall, directly or indirectly, appropriate or convert any of the moneys, securities, evidences of value, or any property whatsoever belonging to the corporation or any board thereof, to his own use, or shall directly or indirectly and knowingly, appropriate or convert the same to any other purpose than that for which such moneys, securities, evidences of value or property may have been appropriated, raised or received, or to any purpose not authorized by law, he shall be deemed guilty of wilful and corrupt malfeasance in office, and may be prosecuted, tried and convicted therefor, and, on conviction, may be punished by fine not exceeding one thousand dollars, or by imprisonment in the State prison for a period not exceeding three years, or both, in the discretion of the court.

Penalty for appropriating city funds.

SEC. 28. Every bond issued by the city shall be made payable within thirty years from the date of issue, and shall contain on its face a statement specifying the object for which the same is issued, and if issued for the purpose of raising money for any public improvement the particular public improvement shall also be specified on the face of such bond, and it shall be unlawful for any officer of such city to sign or issue any such bond without such matters are set forth on the face of the same as aforesaid, or to use such bonds or the proceeds from the sale thereof, for any other object than that mentioned on the face of such bond, and any such officer who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and shall, upon conviction thereof be punished by a fine not exceeding one thousand dollars, or by imprisonment in the county jail for a period not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

Regulating form and issuance of bonds.

Penalty for violation.

TITLE XX.

ASSESSMENT AND COLLECTION OF TAXES.

Who to make
assessment.

SECTION 1. The board of assessors of said city shall, in each year, make and complete an assessment of all the real and personal property within the city liable to taxation under the laws of the State and of all the property of persons liable to be assessed therein in the same manner and within the same time as required by law for the assessment of property in the townships of the State, and in so doing they shall conform to the provisions of law governing the actions of supervisors of townships, performing like services, and in all other respects they shall, unless otherwise provided in this act, conform to the provisions of law applicable to the actions and duties of supervisors in townships in the assessment of property, the levying of taxes, except in the issuing of warrants for the collection and return thereof. The board of assessors shall make their assessments of all such property in a single roll, and in the making of such assessment and in the levying of taxes, the city shall be treated as a whole or as one assessment district as townships are treated under the general tax laws of the State.

To be made in
a single roll.

Procedure in
case of false
claim of
exemption.

SEC. 2. If any person residing in the city a part of the time during the year shall, in the opinion of any assessor unjustly or falsely claim exemption from taxation therein on the ground that he or she has a residence and is taxed or liable to taxation elsewhere than in said city, the board of assessors shall, notwithstanding, assess such person for such amount of personal property as in their opinion shall be just and such assessment shall be conclusive as to the liability of such person to be assessed and to pay the tax levied in pursuance thereof, unless such person shall present to the treasurer or officer requiring payment of such tax a receipt duly signed and authenticated by the affidavit of some other collector of taxes, and also the affidavit of the person charged with the tax, showing that such person has paid a tax upon all of the same property for the same year to such other collector or receiver.

Who to con-
stitute board
of equaliza-
tion.

SEC. 3. Supervisors of the several wards, the mayor, the city attorney, board of assessors and the city clerk shall constitute a board of equalization and review of the general assessment roll of the city, a majority of whom shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day. They shall meet on the second Monday of June at the council rooms at ten o'clock in the forenoon at which time they shall have power, and it shall be their duty to examine said assessment roll, and they shall have authority to, and shall correct any errors or deficiencies found therein, either as to the names, valuations or descriptions; and of their own motion or on cause shown, may re-

Meetings and
duties.

duce or increase the valuation of any property found on said roll, and to add thereto any taxable property in said city that may have been omitted and to value the same; and to strike from said roll any property wrongfully thereon, and generally to perfect said roll in any respects by said board deemed necessary and proper for which services such members of said board shall receive three dollars per day while actually employed: Provided, That the assessors, city attorney, city clerk and mayor shall sit without compensation and shall have no vote on said board except in case of a tie in the votes of the supervisors when the mayor shall have the deciding vote, and in the absence of the mayor, the city attorney shall have the deciding vote.

Compensation.

Proviso.

SEC. 4. The said board shall meet again on the third Monday in June in each year at the council rooms in said city at nine o'clock in the forenoon, of which time and place notice shall be given by the city clerk at least two weeks prior to the time of meeting by publishing a notice thereof in one or more of the newspapers of said city. They shall select one of their number as chairman and shall continue in session at least four days successively, and as much longer as may be necessary to complete the review, and at least six hours in each day during said four days or more; and any person or persons desiring so to do may examine his, her or their assessment on said roll and may show cause, if any exists, why the valuation thereof should not be changed and the said board shall decide the same and their decision shall be final. They may examine under oath any person touching the matter of his or her assessment and the chairman or any member of said board may administer oaths. They shall keep a record of their proceedings and all changes made in said roll shall be entered upon such record which record shall be deposited with the city clerk, who shall be clerk of said board. The decision of a majority of the members of said board upon all questions shall govern. The roll as prepared by the board of assessors shall stand as approved and adopted as the act of the board of review, except as changed as herein provided. Said board shall have the same power and perform the same duties in all respects as boards of review of townships, in reviewing and correcting assessments made by supervisors of townships, except as in this act otherwise provided. After said board of review shall have completed the revision of said roll, the clerk shall endorse and sign a statement upon said roll to the effect that the same is the general assessment roll of the city of Menominee for the year in which it has been prepared and approved by the board of review. Such statement may be in the following form, namely:

Notice of next meeting, how given.

Proceedings.

Record of changes in roll to be kept.

Clerk to endorse roll on completion.

Form of statement.

STATE OF MICHIGAN, }
 County of Menominee. } ss.

I hereby certify that the board of review and equalization of the city of Menominee have reviewed, equalized and corrected the within assessment roll, and have determined the aggregate value of such real estate to be..... dollars and the total value of the personal estate to bedollars for the year A. D.

Dated.....

.....

Clerk of the Board of Review.

When re-
turned to
city clerk.

Upon the completion of such roll and its endorsement in manner aforesaid, it shall be returned to the city clerk and shall be conclusively presumed by all courts and tribunals to be valid, and shall not be set aside except for causes mentioned in the general laws of the State, relating to the assessment of property and the levy and collection of taxes thereon. The omission of such endorsement, however, shall not affect the validity of any such roll.

Who to certify
to amounts for
city purposes.

SEC. 5. On or before the first Monday of October in each year the city clerk shall certify to the county clerk of the county of Menominee the aggregate amount of all sums which the council require to be raised for the next fiscal year for city purposes, and for school purposes by general taxation upon all the taxable property of the whole city.

Who to appor-
tion amount to
be raised.

SEC. 6. The board of supervisors of the county of Menominee shall apportion the amounts to be raised, as mentioned in the preceding section, to the city, according to the equalized valuation of property appearing upon the certificate of the assessment roll of the city for such year, as finally equalized by the board of supervisors, and the clerk of said board shall certify to the city clerk for assessment therein the amount so apportioned to the city; giving the amount apportioned for school purposes in a separate sum, within five days after the board of supervisors of the county shall have completed the equalization of the valuation of the property in the county for the year. Said clerk of the board shall also certify to the city clerk the amounts apportioned to the city as aforesaid.

Amount for
schools to be
separate sum.

Amounts for
special assess-
ment, by
whom and to
whom certi-
fied.

SEC. 7. On or before the first Monday of October in each year the city clerk shall certify to the board of assessors for the assessment therein, all amounts which the council require to be assessed or reassessed in any street district, main or special sewer district, or other special assessment district, or upon any parcel of land, or against any particular person, as a special assessment or otherwise within the city, together with a designation of the district, or description of the land or person upon whom or within which the several sums are

to be assessed or reassessed, with such further descriptions and directions as will enable such board of assessors to assess the several amounts upon the property and persons chargeable therewith.

SEC. 8. The city clerk at the time of levying state and county taxes in the city for the year, shall levy in the same roll upon all taxable property in the city the amounts certified to him by the clerk of the board of supervisors as provided in section six of this title to be raised for city and school purposes, placing the city taxes in one column and the school taxes in another column and he shall also levy in the same roll upon the lands, property and persons chargeable therewith all special assessments made by the board of assessors, as provided in section seven of this title or in title eighteen of this act for assessment or reassessment in street districts, main or special sewer districts or for other special assessments, placing all such taxes in a column of special assessments, and shall place the state and county taxes in other columns. The amount of the several taxes so levied upon each valuation shall be carried into the last column of the roll.

When, how
and by whom
city taxes to
be levied.

SEC. 9. The city clerk upon completing his roll shall carefully foot the amount of taxes levied in the roll for state and county purposes and for school and city taxes, special assessments and other purposes, and the clerk shall charge the said amounts to the city treasurer. The city treasurer shall give bond to the county treasurer in the same manner as township treasurers are required to do; and thereupon and on or before the first Monday in December, the city clerk shall deliver a certified copy of the assessment roll with the taxes extended therein as aforesaid to the city treasurer with his warrant for the collection of the taxes therein, annexed thereto.

Amount clerk
to charge to
treasurer.

Treasurer to
give bond.

When clerk to
deliver roll
and warrant
to treasurer.

SEC. 10. The warrant annexed to said roll shall state the several amounts levied therein to be paid into the city and county treasury respectively; and shall command the city treasurer to collect from the several persons named in the said roll the several sums named in the last column thereof opposite their respective names and to pay over and account for all moneys collected and specified in the roll as in said warrant directed on or before the first day of March then next ensuing and the warrant shall authorize the treasurer in case any person shall neglect to pay his tax, to levy the same by distress and sale of the goods and chattels of such person.

Warrant, what
to contain.

SEC. 11. All taxes levied in said tax roll shall be and remain a lien upon the lands upon which they are levied until paid.

Taxes to be
lien.

SEC. 12. Upon receiving the tax roll as above provided, the city treasurer shall give notice immediately to the tax payers of the city that such roll has been delivered to him and that the taxes therein levied can be paid to him at his office

Duty of treas-
urer on receipt
of roll.

at any time before the tenth day of January then next ensuing, with one per cent for collection; but that four per cent collection fees will be charged and collected upon all taxes remaining unpaid on the said tenth day of January; said notice shall be given by publishing the same twice in one or more newspapers of the city and by posting copies thereof in three public places in each ward of the city and it shall be the duty of the treasurer to be at his office previous to said tenth day of January and there receive payment of such taxes as may be offered to him.

Powers of
treasurer as to
unpaid taxes.

SEC. 13. For the collection of all taxes remaining unpaid on the tenth day of January, the city treasurer shall proceed in the same manner as township treasurers are required by law to do for the collection of taxes in townships and shall for that purpose have the power and authority conferred by law upon township treasurers for such purposes, and shall when necessary enforce the payment of the tax against any person by distress and sale of his goods and chattels, if any such can be found anywhere within the county.

Same powers,
etc., as town-
ship treasurer.

SEC. 14. The county treasurer may issue new warrants to the city treasurer for the collection of taxes in the same manner and in the same cases and with the same effect as such new warrants may be issued to township treasurers. The city treasurer may, and it shall be his duty to proceed by suit, in the name of the city for the collection of unpaid taxes in the same cases and under like circumstances in which township treasurers are authorized to proceed in that manner and all the provisions of law applicable to suits and evidence therein brought by township treasurers in the name of their townships for such purposes shall apply to suits brought by the city treasurer as aforesaid.

City to come
under same
provisions as
townships.

SEC. 15. For the purpose of assessing and levying taxes in said city for State, county and school purposes, all provisions of law relative to the collection of taxes levied in townships shall apply to the collection of taxes levied and assessed by the board of assessors in said city except as herein otherwise provided. For the purpose of collecting taxes and returning property for non-payment thereof, the city treasurer shall perform the same duties and have the same powers as township treasurers, except as herein otherwise provided.

Sums required
in warrant,
when, by
whom and to
whom paid.

SEC. 16. The city treasurer shall, within one week after the time specified and directed in the warrant annexed to said tax roll, pay to the county treasurer the sums required in said warrant to be so paid, either in delinquent taxes or in funds then receivable by law and all lands upon which any unpaid tax shall be returned shall be sold therefor the same as lands returned for delinquent taxes by township treasurers.

Delinquent
taxes, as in
townships.

SEC. 17. All the provisions of law respecting delinquent taxes levied in townships shall apply to taxes levied in the city and be returned as delinquent to the county treasurer, and the city, in respect to taxes levied therein and returned to the county treasurer as delinquent shall, except as herein

otherwise provided be considered and treated as a township and all provisions of law for the sale of lands for the payment of taxes levied for State, county and township purposes and returned delinquent shall apply to the return and sale of property for the non-payment of delinquent taxes levied in the city except as herein otherwise provided.

SEC. 18. The city clerk, in preparing the tax roll for December, shall have power with the assessors to redescribe, revalue and reequalize the several parts of any description of real property which was assessed on the last tax rolls as one description, and to one owner, and with one valuation, and was thereafter divided, by sale or otherwise, among separate owners. The equalized valuation of the several parts shall equal the assessed valuation of any description which included them all, on the last tax roll whereon the same was assessed. Persons interested may appear at the city clerk's office at any time before the first Monday of November, and the board of assessors with the city clerk shall hear and consider their statements. And their action shall be as final, conclusive and binding as the acts of boards of review in reviewing, correcting and equalizing general assessments as hereinbefore set forth and it shall be the duty of the city clerk to carry out State, county, school or other taxes against such subdivided descriptions and the several valuations thereof in the same manner as if they were original entries.

Who may re-equalize, etc.

When interested persons may appear.

TITLE XXI.

APPROPRIATION OF PRIVATE PROPERTY.

SECTION 1. The said city shall have power to take private property for public use and benefit for the following purposes:

Purposes for which may be appropriated.

First. To open highways, streets and alleys for public use, and to extend, widen and straighten the same;

Streets, etc.

Second. To open private roads and alleys;

Private roads, etc.

Third. To obtain sites for public buildings and parks of such city;

Fourth. To lay out and open public squares, spaces, market grounds and parks;

Parks, etc.

Fifth. To lay through private property, public sewers, water pipes and gas pipes; electric light and power poles and wires.

Sewers, etc.

SEC. 2. Whenever requisite private property, rights, privileges and easements, either within said city, or within six miles of the corporate limits of said city, not acquired by purchase, may be taken for any of the purposes aforesaid, when the council shall so declare by resolution, in accordance with the general laws of this State relating to the taking of private property for public use.

When council may appropriate.

TITLE XXII.

EDUCATION.

To constitute single district.	SECTION 1. The city incorporated under this act shall constitute a single school district. Such school district shall be
Name.	a body corporate by the name and style of the "public schools of the city of Menominee" and shall possess the usual powers of corporations for public purposes; and as to all matters
Laws governing.	pertaining to public schools, it shall be subject to and governed by the laws of the State of Michigan relative to the system of graded schools.
How may raise additional amount.	SEC. 2. In addition to the amounts of money which the city is authorized to raise by loan under the preceding provisions of this charter, the said school district of the city of Menominee may raise by loan for the purpose of providing schoolhouse sites and erecting, repairing and furnishing buildings, such sum or sums not to exceed seventy-five thousand dollars as shall be authorized by a majority vote of the qualified electors having property assessed for school taxes in said city, voting at any annual election in said school district, or at any special election called for that purpose, provided the aggregate bonded indebtedness of said city for school purposes shall not at any time exceed the sum of one hundred thousand dollars. When the board of trustees of
When question submitted to electors.	said district shall deem it expedient to raise money by loan for any of said purposes they shall so decide by resolution stating the purposes and the amount to be raised and fixing the time and place for submitting such question to a vote of the electors, and shall give such notice thereof and hold such election as is provided by the laws of this State, regulating such proceedings in school districts.
When may issue bonds.	SEC. 3. When such loan shall be authorized by a majority vote of the said electors of said city, voting at any meeting so called and held, the said trustees may then issue the bonds of said city drawing interest at a rate not exceeding six per cent per annum for the amount so authorized by such vote, or such part thereof as may seem proper, but not more than five thousand dollars of such bonds shall be made payable in one year.
Rate of interest.	

TITLE XXIII.

FIRE DEPARTMENT.

Council to establish, etc.	SECTION 1. The council shall have power to enact such ordinances, and establish and enforce such regulations as they shall deem necessary to guard against the occurrences of fire and to protect the property and persons of the citizens against damage and accident resulting therefrom; and for this purpose to establish and maintain a fire department; to
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organize and maintain fire companies; to employ and appoint firemen; to make and establish rules and regulations for the government of the department, the employes, firemen and officers thereof; and for the care and management of the engines, apparatus, property and buildings pertaining to the department; and prescribing the powers and duties of such employes, firemen and officers.

SEC. 2. The council may purchase and provide suitable fire engines, and such other apparatus, instruments and means for the use of the department as may be deemed necessary for the extinguishment of fires, and make all necessary provisions for a convenient supply of water for the use of the department.

May purchase
fire engines,
etc.

SEC. 3. The council may also provide or erect all necessary and suitable buildings for keeping the engines, carriages, teams, and fire apparatus of the department.

May erect
buildings, etc.

SEC. 4. The chief of the department shall be subject to the direction of the mayor and shall have the supervision and direction of the department, and the care and management of the fire engines, apparatus and property, subject to such rules and regulations as the council may prescribe; and the council may appoint such assistants and other officers of the department as may be necessary.

Powers and
duties of
chief.

Council to
appoint assist-
ants.

SEC. 5. The fire chief, mayor, chief of police, and any alderman or officer of the fire department may command any person present at a fire to aid in the extinguishment thereof, and to assist in the protection of property thereat. If any person shall wilfully disobey any such lawful requirement or other lawful order and direction of any such officer, the officer giving the order may arrest, or direct any policeman or citizen to arrest such person and confine him temporarily until the fire shall be extinguished, and in addition thereto he shall be punished in such manner as may be prescribed by the ordinances of the city.

Who may call
on persons
present for
aid.

Penalty for
disobedience.

SEC. 6. The council may provide by ordinance, for the appointment of, and may appoint such number of fire-wardens as may be deemed necessary; and for the examination by them, from time to time, of the stoves, furnaces, and heating apparatus, and devices in all the dwellings, buildings and structures within the city, and in all places where combustibles or explosive substances are kept; and to cause all such as are unsafe, with respect to fire, to be put in a safe condition.

Who to ap-
point fire
wardens.

Duties.

SEC. 7. The council may prescribe by ordinance, from time to time, limits or districts within the city, within which wooden buildings and structures shall not be erected, placed or enlarged, and to direct the manner of constructing buildings within such districts, with respect to protection against fire, and the material of which the outer walls and roof shall be constructed.

Council may
prescribe
fire limits, etc.

May prescribe districts for location of shops, etc.	SEC. 8. The council may also prohibit within such places or districts as they shall deem expedient the location of shops; the prosecution of any trade or business; the keeping of lumber yards; and the storing of lumber, wood, or other easily inflammable material in open places, when, in the opinion of the council, the danger from fire is thereby increased. They may regulate the storing of gunpowders, oils, and other combustibles and explosive substances, and the use of lights in buildings; and generally may pass and enforce such ordinances and regulations as they may deem necessary for the prevention and suppression of fires.
Storing of explosives, etc.	
When building declared a nuisance.	SEC. 9. Every building or structure which may be erected, placed, enlarged, or kept in violation of any ordinance or regulation made for the prevention of fires, is hereby declared to be a nuisance, and may be abated or removed by the direction of the council.
Compensation of officers, etc.	SEC. 10. The officers, firemen and employes of the department shall receive such compensation as the council may prescribe, and during their term of service shall be exempt from serving on juries. The council may provide suitable compensation for any injury which any fireman may receive to his person or property in consequence of the performance of his duty at any fire.
Council may provide for injuries, etc.	
When officers may destroy buildings.	SEC. 11. The chief in charge of the department at any fire, with the concurrence of the mayor or any two aldermen, may cause any building to be pulled down or destroyed, when deemed necessary, in order to arrest the progress of the fire; and no action shall be maintained against any person or against the city therefor; but if any person having an interest in the building shall apply to the council, within three months after the fire, for damages or compensation for such building, the council may, in their discretion, pay him such compensation as may be just. They may ascertain such damage by an agreement with the owner, or by the appraisal of a jury, to be selected in the same manner as in case of juries to appraise damages for taking private property for public use; and the council may cause the amount of any damages determined upon to be defrayed by a special assessment upon the property which in their opinion was protected or benefited by the destruction of such building; but no damages shall be paid for the amount of any loss which would probably have occurred to such if it had not been pulled down or destroyed.
Council may pay just damages.	
How ascertained.	
How paid.	
Council may regulate steamboats, etc.	SEC. 12. The council of said city may by ordinance prescribe such regulations to be observed by owners, masters and employes of steamboats and water craft upon any navigable waters adjacent thereto as may be necessary for the prevention of fires in the harbor, and to prevent the communication of fire from such boats and craft; and may prescribe in such ordinance the manner of collecting any penalties imposed thereby.

TITLE XXIV.

MISCELLANEOUS.

SECTION 1. All process against said city shall run against the city in its corporate name and such process shall be served by leaving a true and attested copy of such process with the mayor, clerk or city attorney of said city at such time and in such manner as is provided by law for the service of process in other cases.

Process
against city,
how served.

SEC. 2. Whenever an appeal shall be taken in any cause in any court or a writ of error issued in any suit brought by or against said city of Menominee, it shall not be necessary in order to perfect said appeal or to stay proceedings upon any judgment for the said city of Menominee to execute any bond or other undertaking.

City need not
perfect bond
in cases of
appeal.

SEC. 3. The council is hereby authorized to settle all accounts of the city and to cause the books of account to be balanced in such manner as to show the actual state and condition of each fund or account appearing thereon and to cause to be done whatever else may be necessary to show the actual and existing standing and condition of the financial affairs of the city and to cause all funds in the city treasury on the adoption of this act to be transferred to such fund mentioned in this act as in its judgment may be proper.

Council to
settle, balance
accounts, etc.

SEC. 4. All officers elected or appointed under the provisions of the former act of incorporation of the city and in office at the time this act shall take effect shall continue to exercise their respective functions under the provisions of this act for the full term for which they were so elected or appointed and until their successors shall have been qualified and enter upon the duties of their office, unless herein otherwise provided.

Certain offi-
cers to hold
for full term.

SEC. 5. The by-laws and ordinances of the city and the rules and regulations of the council heretofore in force under former acts of incorporation and not inconsistent with this act shall remain in force after the passage of this act and are hereby declared to be reenacted by virtue of and under the powers conferred by this act, until altered, amended or repealed by the council as the case may be. In case any special assessment has been made by authority of and confirmed by the council of the city and the same or some part thereof shall not have been collected when this act shall take effect, the city as hereby incorporated shall have authority to enforce payment thereof and any public improvement or repairs of sidewalks chargeable to any lot or premises made by order of the council may be assessed to such lot or premises in the manner herein provided for special assessments and the same proceedings may be had therefor as are provided in this act.

Former ordi-
nances to
remain in
force.

Former spe-
cial assess-
ments, etc., to
be collected.

Licenses to remain in force.	SEC. 6. All licenses heretofore granted by the city shall be and remain in full force and virtue until the expiration of the time for which they were first granted.
First election, when held.	SEC. 7. The first election of officers for said city shall be held on the first Monday in April in the year of our Lord, one thousand nine hundred and two, and notice thereof and of the officers to be elected thereat shall be given and the election held and conducted, the votes canvassed, the result determined and notice given to persons elected in the same manner and within the same time as herein provided. The council is hereby authorized to make full provision for the registration of all electors not now registered in said city and for holding the first election under this act in the several voting precincts of this city; but five days' notice of such first registration and election under this act shall be sufficient notice.
Council to provide for registration.	SEC. 8. No lands or premises shall hereafter be laid out, divided and platted into lots, streets and alleys within the city except by permission and approval of the council by resolution passed for that purpose nor until the proprietor shall file with the city clerk a correct survey, plan and map of such grounds and the subdivisions thereof, platted and subdivided as approved by the council and made to their satisfaction; showing also the relative position and location of such streets, lots and alleys with respect to the adjacent lots and streets of the city, nor shall any such plat and dedication of the streets and public grounds thereon be recorded in the office of the register of deeds of the county of Menominee until a certificate has been endorsed thereon by the city clerk under the seal of the city showing that such plat and dedication has been approved by the council; nor shall the city by reason of such approval be responsible for the improvement, care and repair of such streets and alleys excepting such as the council shall accept and confirm by ordinance or resolution as in this act provided.
Must have approval of council to lay out, plat, etc.	
Map to be filed.	
What to show.	
When recorded.	
When, how and to whom contracts let.	SEC. 9. No contract for the construction of any public building, sewer, paving, graveling, planking or for the construction of any public work whatever or for any work to be done, including public printing for said city, if the expense of such construction, repairs, work, printing, shall exceed two hundred dollars shall be let or entered into except to and with the lowest responsible bidder with adequate security: Provided, That in case of repairing paved streets, building and repairing crosswalks, culverts, intersections and sidewalks or repairing any sewers, drains or water courses, the council may cause the same to be done by the street commissioner or sewer inspector under the supervision of the city engineer when so deemed advisable and ordered by a vote of a majority of all the aldermen elect. No contract shall be awarded under the provisions of this section to any person who is in default to the corporation upon any contract, bond, obligation or otherwise, or who is a defaulter to the corporation
Proviso.	

or who shall be in other respects disqualified under the provisions of this act.

SEC. 10. Act number two hundred and twenty-eight of the session laws of one thousand eight hundred and eighty-three, entitled "An act to incorporate the city of Menominee," and to repeal act number two hundred and eighty-one of the session laws of one thousand eight hundred and ninety-one, entitled "An act to revise and amend the charter of the city of Menominee," being act two hundred and twenty-eight of the session laws of one thousand eight hundred and eighty-three, entitled "An act to incorporate the city of Menominee," approved April nine, one thousand eight hundred and ninety-one and all amendments thereto and all other acts and parts of acts inconsistent with this act are hereby repealed: Acts repealed.
Provided however, That the city hereby incorporated shall be considered a continuation of the corporation by said acts created and shall be liable for all obligations and entitled to all benefits accruing to said city of Menominee by said acts, and all taxes levied and uncollected at the time this act shall take effect shall be collected the same as if this act had not been passed. Proviso.

This act is ordered to take effect June first, one thousand nine hundred and one.

Approved May 22, 1901.

[No. 443.]

AN ACT to amend section six of chapter four, section four of chapter eight, sections eleven and twenty of chapter sixteen, sections one, two, five, eight, nine, fifteen, sixteen, eighteen, nineteen and twenty-two of chapter twenty-two, sections eight, twelve, nineteen and twenty-five of chapter twenty-three, and section two of chapter twenty-seven of act number four hundred and seventy-five of the local acts of eighteen hundred and ninety-seven, entitled "An act to re-incorporate the city of Kalamazoo and to repeal an act entitled 'An act to incorporate the city of Kalamazoo,' and to repeal an act entitled 'An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts,' approved March fifteenth, eighteen hundred and sixty-one, as amended by the several acts amendatory thereof," approved June eighth, eighteen hundred and eighty-three, as amended by the several acts amendatory thereof, and to repeal all inconsistent acts and parts of acts" approved June second, eighteen hundred and ninety-seven, as amended by the several acts amendatory thereof, and to add one section to chapter four of said act to stand as section twenty, one section to chapter ten of said act to stand as section six, four sections to chapter sixteen of said act to stand as sections thirty-five, thirty-six, thirty-seven and thirty-eight, and three sections to chapter twenty-two of said act to stand as sections sixty-one, sixty-two and sixty-three.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That section six of chapter four, section four of chapter eight, sections eleven and twenty of chapter sixteen, sections one, two, five, eight, nine, fifteen, sixteen, eighteen, nineteen and twenty-two of chapter twenty-two, sections eight, twelve, nineteen and twenty-five of chapter twenty-three, and section two of chapter twenty-seven of act number four hundred and seventy-five of the local acts of eighteen hundred and ninety-seven, entitled "An act to re-incorporate the city of Kalamazoo and to repeal an act entitled 'An act to incorporate the city of Kalamazoo,' and to repeal an act entitled 'An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts,' approved March fifteenth, eighteen hundred and sixty-one as amended by the several acts amendatory thereof, approved June eighth, eighteen hundred and eighty-three, as amended by the several acts amendatory thereof, and to repeal all inconsistent acts and parts of acts" approved June second, eighteen hundred and ninety-seven, as amended by the several acts amendatory thereof, be amended, and that one section be added to chapter four of said act to stand as section twenty, one section be added to chapter ten of said act to stand as section six, four

Sections
added.

sections be added to chapter sixteen of said act to stand as sections thirty-five, thirty-six, thirty-seven and thirty-eight, and three sections be added to chapter twenty-two of said act to stand as sections sixty-one, sixty-two and sixty-three, said sections so amended and added to read as follows:

CHAPTER IV.

ELECTIONS.

SEC. 6. The aldermen of each ward shall be inspectors Inspectors of. of election in their several wards. The city council of the city shall, on or before the last regular meeting thereof preceding any election, appoint from the electors of the several wards such number of additional inspectors of election as shall make the number of inspectors of elections in any voting precinct equal to the number required by the general election laws of this State, and the electors so appointed, together with the aldermen of the ward, shall constitute the boards of election inspectors in the various wards of the city: Provido. Provided however, that such appointments of electors to serve as election inspectors shall be made so that the various political parties shall be equally represented, as near as may be. The inspectors may employ one or more electors of the ward as polling clerks, who shall receive such compensation as the city council shall prescribe. Inspectors to employ polling clerks, etc. In the case of a failure of any inspector to attend or remain at the polls, or of his disqualification, his place shall at once be filled by the appointment of some elector of the ward, which appointment shall be made by the remaining inspector or inspectors. The inspectors in each voting precinct shall elect, from their number, a chairman of the board of election inspectors. Such boards of inspectors shall have power to correct at the polls any clerical errors that may be discovered in the registration.

SEC. 20. Whenever, by the provisions of any act of the legislature of this State, relating to any election at any time to be held in this city, the term "property tax payers," or any similar expression, is made use of, it shall be construed as including both males and females, and only such persons as are assessed a real estate or personal tax on the regular tax rolls of the city. Taxpayers defined.

CHAPTER VIII.

POWERS AND DUTIES OF THE CITY TREASURER AND WATER COMMISSIONER.

SEC. 4. Said treasurer is hereby prohibited from using, Disposition of moneys. either directly or indirectly, the corporation moneys, warrants or evidences of indebtedness in his custody, for his own

Violation—
forfeiture
of office.

use or benefit or that of any other person. All moneys received by said treasurer, either directly or indirectly, as interest on or for the use of, any of the moneys or funds belonging to the city of Kalamazoo, and all interest or use which can be obtained by said treasurer, either directly or indirectly, on any moneys or funds belonging to said city, shall be covered by him into the city treasury, to the credit of the general fund, and shall be the assets of said city. Any violation of the provisions of this section shall work a forfeiture of his office by the city treasurer, and the city council, on proof of the fact, are authorized to declare the office vacant and to appoint a successor for the remainder of the term.

CHAPTER X.

CITY ASSESSOR.

Vacancy,
how filled.

SEC. 6. In case of a vacancy occurring in the office of city assessor, from any cause, during any term of office, the mayor shall, by and with the consent of the city council, appoint some suitable person as city assessor for the unexpired portion of that term. In case of the temporary disability, absence or disqualification of the city assessor, the mayor shall, by and with the consent of the city council, appoint some suitable person to perform the duties of that office during the continuance of such disability, absence or disqualification only. Any person appointed under the provisions of this section shall have all the powers and perform all the duties pertaining to the office of city assessor during the time for which he is appointed. The city council may fix the compensation of the person or persons appointed hereunder; but two persons shall not receive compensation for the same space of time.

Appointee,
duties, com-
pensation, etc.

CHAPTER XVI.

POWERS AND DUTIES OF THE CITY COUNCIL.

Council may
borrow money,
etc.

Proviso.

Cleaning
channel of
Kalamazoo
river.

SEC. 11. The city council shall have power to borrow money and incur indebtedness for necessary expenses in carrying out all the powers conferred upon them by this act, and for public improvements to be made in said city: Provided, That the total indebtedness created by said city council in any year shall not exceed the amount of the tax levies for that year, and shall be paid out of the tax levies for that year. The question of borrowing money for the purposes hereinbefore set forth and also for the purpose of cleaning the channel of the Kalamazoo river and other water courses within the limits of the city and adjacent thereto, as a sanitary or health measure, may be submitted to the electors of said city at the

annual election or at a special election called for that purpose by the city council, and in case a majority of the qualified electors voting at such election shall vote by ballot in favor of borrowing money, the city council shall have power to borrow money not exceeding the sum so voted, and to issue bonds for the sum so voted to extend for a term of years at a rate of interest to be fixed by the city council. In case of the issue of bonds, the city council shall provide by resolution for a sinking fund for the payment of such bonds and the interest thereon, and the moneys in said sinking fund shall be used for no other purpose than the payment of the principal and interest of such bonds. The city council shall have power, in case of any calamity, fire or inevitable accident, by resolution adopted by the unanimous vote of all the members of the said city council to borrow money and incur indebtedness to meet the requirements occasioned thereby, in excess of the limitations in this section contained, by the issue of bonds or otherwise as they may determine necessary: Provided, That the necessity for said action shall be clearly stated in said resolution: And, provided further, That the sum so borrowed shall not exceed the sum of five thousand dollars: And, provided further, That provision shall be made for the payment of the entire indebtedness so incurred within two years from the time of the adoption of said resolution, unless the qualified electors of the city shall, at the next regular city election, or at a special election held prior to the next regular city election, vote in favor of borrowing such money for a longer time. Each and every act of the city council had and taken before the passage of this act in relation to borrowing money for the use of said city, is hereby declared to be lawful and all the indebtedness existing, and outstanding against said city by reason of any act had and taken by said city council before the passage of this act, incurred for materials purchased or money borrowed, together with all obligations given therefor, is hereby declared to be lawful, and the same shall constitute lawful and just claims against said city, and said city council shall cause the present existing unsecured indebtedness of said city to be paid out of the moneys raised by the annual tax levy of the year one thousand nine hundred and one. The city council shall not have power to borrow money except as in this act expressly provided.

SEC. 20. The city council shall have power to cause the public streets, highways, avenues and alleys in said city to be graded, macadamized, paved, planked or graveled, and otherwise constructed, improved and repaired, and the gutters paved. The cost and expense thereof may be paid by the corporation, or the same, or any part thereof, as the council may, by resolution, determine, may be assessed on the prop-

When may
issue bonds.

To create
sinking fund.

Powers in
case of
calamity, etc.

Proviso.

Further
proviso.

Further
proviso.

Previous
indebtedness
lawful.

Repairing
streets, duty
of council.

Cost of.

Violation—
forfeiture
of office.

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Appointee,
duties, com-
pensation, etc.

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borrow money,
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annual election or at a special election called for that purpose by the city council, and in case a majority of the qualified electors voting at such election shall vote by ballot in favor of borrowing money, the city council shall have power to borrow money not exceeding the sum so voted, and to issue bonds for the sum so voted to extend for a term of years at a rate of interest to be fixed by the city council. In case of the issue of bonds, the city council shall provide by resolution for a sinking fund for the payment of such bonds and the interest thereon, and the moneys in said sinking fund shall be used for no other purpose than the payment of the principal and interest of such bonds. The city council shall have power, in case of any calamity, fire or inevitable accident, by resolution adopted by the unanimous vote of all the members of the said city council to borrow money and incur indebtedness to meet the requirements occasioned thereby, in excess of the limitations in this section contained, by the issue of bonds or otherwise as they may determine necessary: Provided, That the necessity for said action shall be clearly stated in said resolution: And, provided further, That the sum so borrowed shall not exceed the sum of five thousand dollars: And, provided further, That provision shall be made for the payment of the entire indebtedness so incurred within two years from the time of the adoption of said resolution, unless the qualified electors of the city shall, at the next regular city election, or at a special election held prior to the next regular city election, vote in favor of borrowing such money for a longer time. Each and every act of the city council had and taken before the passage of this act in relation to borrowing money for the use of said city, is hereby declared to be lawful and all the indebtedness existing, and outstanding against said city by reason of any act had and taken by said city council before the passage of this act, incurred for materials purchased or money borrowed, together with all obligations given therefor, is hereby declared to be lawful, and the same shall constitute lawful and just claims against said city, and said city council shall cause the present existing unsecured indebtedness of said city to be paid out of the moneys raised by the annual tax levy of the year one thousand nine hundred and one. The city council shall not have power to borrow money except as in this act expressly provided.

SEC. 20. The city council shall have power to cause the public streets, highways, avenues and alleys in said city to be graded, macadamized, paved, planked or graveled, and otherwise constructed, improved and repaired, and the gutters paved. The cost and expense thereof may be paid by the corporation, or the same, or any part thereof, as the council may, by resolution, determine, may be assessed on the prop-

When may
issue bonds.

To create
sinking fund.

Powers in
case of
calamity, etc.

Proviso.

Further
proviso.

Further
proviso.

Previous
indebtedness
lawful.

Repairing
streets, duty
of council.

Cost of.

"Paved" and
"macadam-
ized" defined.

erty adjacent thereto and benefited thereby. The terms "paved" and "macadamized" shall be deemed to include gutters, curbing, crosswalks and ballasting. The city council shall have power to cause any of the paved, macadamized or graveled streets of the city to be cleaned and kept clean. The cost and expense thereof may be paid by the city, or the same, or any part thereof, as the council may, by resolution determine, may be assessed on the property adjacent thereto and benefited thereby. The city council shall have power to cause the public streets, highways, avenues and alleys in said city to be sprinkled whenever deemed necessary. The cost and expense thereof may be paid by the city, or the same, or any part thereof, as the council may, by resolution or ordinance determine, be assessed on the property adjacent thereto and benefited thereby. All assessments provided for in this section may be levied and collected as by this act provided for levying and collecting special assessments.

Sprinkling
streets, cost
of, etc.

Duties
relative to
condemna-
tion and re-
moval of
buildings,
etc.

SEC. 35. The city council, in addition to the powers and duties herein otherwise especially conferred upon them, shall have full power and authority to enact, make, continue, establish, modify, annul and repeal at pleasure, such by-laws, rules, ordinances and regulations as they may deem desirable for the condemnation and removal of all and any buildings, structures, walls or other things within the limits of said city which are liable to fall therein or otherwise, or which are extra hazardous on account of fire, so as to endanger life or property, and to condemn, remove, suppress, prohibit or abate as a nuisance any building or structure, wall or other thing from which any material, snow, ice or other substance is liable to fall or otherwise, so as to endanger life, limb or property and to punish the owner or owners of any such building, structure, wall or other thing for permitting the same to remain in such condition.

Council may
make rules
relative to
collection
of vital
statistics.

SEC. 36. The city council, in addition to all the other powers especially conferred upon them by this act shall have full power and authority to enact, make, continue, establish, modify, annul and repeal at pleasure, such by-laws, rules, ordinances and regulations as they may deem desirable for the purpose of collecting, classifying and compiling information concerning vital statistics, knowledge respecting diseases, and all information on the subject of hygiene and all other subjects which the general laws of the State require to be collected, classified, compiled and arranged by the supervisors of the townships.

City may
bring suit
for recovery
of certain
lands.

SEC. 37. The city of Kalamazoo shall not be deprived of its right to bring and maintain any action for the recovery of any lands, or the possession thereof, the title to which it may have at any time acquired by purchase, condemnation, devise, gift, or dedication and acceptance, user, possession or occupancy, by reason of the continued occupancy thereof by any person or persons for any length of time, and shall only be

deprived of its right to bring and maintain any such action by reason of a legal conveyance or some affirmative act to vacate and surrender the same duly authorized by law. From and after the enactment hereof, no person or persons shall acquire any rights as against the city of Kalamazoo in any of its streets, avenues, highways, lanes, alleys, cemeteries, public grounds or other lands by adverse possession or occupancy thereof for any reason whatever. The intent hereof is to except the city of Kalamazoo from the effect of the statutes of this State placing limitations upon actions relating to real property. The city of Kalamazoo shall be deemed to be in possession and control of any lands, designated as streets or public parks, upon any plat which may be accepted by the city council, from and after the date of filing said plat in the office of the register of deeds of the county of Kalamazoo, notwithstanding the fact that actual physical control thereof may not have been taken by the city council of said city for any length of time.

Filing of
plat, city
deemed
owner of
streets.

SEC. 38. The city council shall have the power to award to and pay, such sum as they may determine, to any member of the fire department and to any member of the police force of the city, who shall suffer any accident or injury to his person while in the regular and active discharge of his duty as such fireman or policeman, and the city council shall have full power and authority to enact, make, continue, establish, modify, amend and repeal at pleasure, such by-laws, rules, ordinances and regulations as they may deem desirable for that purpose. The payment of such sum in any case or for any length of time, shall not be deemed to establish or create any continuous binding obligation upon the city of Kalamazoo whatever.

Council to
compensate
injured fire-
men and
policemen.

CHAPTER XXII.

ASSESSMENT AND COLLECTION OF TAXES.

SECTION 1. The city assessor shall in each year, between the first day of January and the first meeting of the board of review assess, at its cash value, all the real and personal property in such city, and subject to taxation under the general laws of this State, now or hereafter in force. He shall prepare one general assessment roll for the city, upon which the names of the persons assessed shall be placed in alphabetical order. He may determine the general plan and style of the assessment and tax rolls, subject to the approval of the city council. Such city assessor shall have and exercise the same powers and duties relating to the making of assessment and tax rolls as are, or may be, given to supervisors of townships by the general laws of the State, and he shall be governed by such laws except as herein otherwise provided.

Assessor,
when to assess
property.

To make roll.

Same powers
as supervisors.

Roll, when and to whom delivered.	After such assessment roll shall have been completed, the assessor shall, on the third Monday in May of each year, or at such other time as the city council may by resolution direct, deliver the same to the board of review of said city. In the equalization of assessment rolls by the board of supervisors of Kalamazoo county, the city of Kalamazoo shall be equalized as a whole and not by wards.
Board of review, members of.	SEC. 2. The board of review of said city shall consist of the aldermen from each ward whose term of office soonest expires. In case of the inability, for any reason, of any such aldermen to act then the other alderman from the same ward shall act in his place. Such board of review shall meet at the city council rooms, or at such other place as may be designated by the city council on the third Monday in May in each year, or at such other time as the city council may by resolution fix, and continue in session from day to day, at least six hours each day, until the assessment roll shall have been fully and carefully reviewed, corrected and approved, which shall be on or before the Saturday following the fourth Monday in May in each year. Such board of review shall have power and it shall be its duty to examine and correct any assessment or valuation and to place on the assessment roll any taxable property, real or personal, not already assessed, which may be held or owned by any person, company or corporation, and to strike from such roll any property, real or personal, wrongfully thereon. It shall also make such alteration in the names of the persons and in the description of the property as may be necessary to render the same conformable to this act and the requirements of the law of the State.
Meetings of, when and where held.	
Board to examine roll.	
May alter roll.	
Board to elect chairman.	SEC. 5. The board of review shall, upon first convening, elect from their number a chairman, who shall preside at all meetings of said board: Provided, That in case of the absence of said chairman, a chairman pro tem. shall be selected from their number to preside. The city clerk or his deputy shall be clerk thereof. It shall be the duty of such clerk to keep a record of all the proceedings of such board in a book provided for such purpose, to make entries of all resolutions and decisions of the board on all questions submitted to the board, and to file and preserve all petitions, affidavits, and all other written documents presented to the board. The board may examine on oath any person touching the matter of his or her assessment, and any member of said board may administer such oaths. No assessment shall be changed in any way except by a motion or resolution regularly put and adopted by a majority of the members of said board, which motion or resolution shall state the amount at which such assessment is fixed as reviewed by said board, and shall also contain a description of the property affected thereby, as the same appears upon the assessment roll. When required by said board, any person considering himself aggrieved by reason of any assessment, and complaining thereof, shall
Proviso.	
Clerk of, duty, etc.	
Assessment, when changed.	
Aggrieved person may appeal to board.	

reduce his grievance to writing and file the same with said board before the same shall be considered by said board, and the board may pass upon any matter presented for its determination at the time the matter is presented or at some other session of the board, in its discretion. Each day's proceedings of said board shall be read, approved by the board and signed by the chairman thereof, and the decision of the board shall be final. At or before the last session of said board of review, the aldermen from the several wards, composing said board of review, shall prepare a list of persons to serve as petit and grand jurors, in accordance with the provisions of chapter twenty-six of the compiled laws of Michigan, of eighteen hundred and ninety-seven, and shall prepare and file with the judge of the recorder's court for the city of Kalamazoo, a list of twenty persons from each ward of said city to serve as jurors in said recorder's court for the ensuing year, which shall constitute the jury list for one year and until a new list shall be returned to said recorder's court.

When to
make and
file jury list.

SEC. 8. When the city board of review shall have completed their review and correction of such assessment roll, they shall adjourn for one week, and during said time of adjournment the city assessor shall make or cause to be made such changes in said assessment roll as shall have been ordered by said board of review, and make the necessary footings in a permanent manner. Said board of review shall again meet on the day to which they were adjourned, and compare the said assessment roll with the record made of the changes ordered by said board, and when the changes in the assessment roll are found to agree with the record so made, the said board shall add thereto their certificate of the completion of the review and correction of such assessment roll, signed by at least a majority of said board, and no additional changes shall be made in such assessment roll during the week the board stands adjourned or at any time thereafter. The city assessor shall submit such assessment roll, as corrected and certified, to the city council, and the city council shall at the same or an adjourned session thereof, or at a session called for that purpose, proceed to fully and finally confirm such assessment roll, and thereupon cause it, with a record of their action thereon, to be returned to the city assessor, together with a certified copy of the annual appropriation bill passed by the city council for the then current year. The city assessor shall thereupon make a copy of such assessment roll, to be known as the city tax roll, and proceed to ratably levy thereon in dollars and cents the amount of all taxes authorized to be assessed and collected in such city, to each person named and property described upon such city tax roll, showing in separate columns the amount of city taxes assessed to each person or to such property for the year, and who shall also levy in the same roll upon lands,

Assessment,
when correct-
ed and footed.

Certificate
of board
added to roll.

Roll sub-
mitted to
council.

City tax roll.

To be delivered to treasurer. Statement filed with clerk.	property and persons chargeable therewith, all special assessments and sums reported to him as in this act provided for assessment or re-assessment upon such roll, placing all such taxes in columns of special assessments, and when such roll has been completed, footed and balanced, which shall be on or before the first day of July, such assessor shall deliver such city tax roll to the city treasurer and take his receipt therefor. Before delivering said tax roll to the city treasurer, said city assessor shall deliver to the city clerk a complete statement of the amount of the valuation of the real and personal property, together with the several taxes levied thereon and also any special assessment or re-assessment included therein. The city clerk shall make entry of the totals of all valuations and taxes assessed on the books of his office.
Warrant annexed to roll, what to contain.	<p>SEC. 9. Before delivering said tax roll to the city treasurer a warrant shall be issued and annexed to said tax roll signed by the city assessor and under the corporate seal of the city, directed to the treasurer, commanding and authorizing him to collect from the persons named in said tax roll, the tax or assessment therein set forth due from such persons and unpaid on said roll on the first Monday of October next ensuing, together with interest at the rate of one per cent a month from and after the fifteenth day of the preceding August, for the benefit of such city, together with the collection fee of three per cent and for such purpose, if necessary, to levy upon and sell the personal property of any person or persons named in said roll refusing or neglecting to pay the same, wherever such personal property may be found, within the limits of the county of Kalamazoo, which warrant shall be returnable on the first day of January next ensuing: Provided, That if at any time after receiving such tax roll and before the first day of October next ensuing, the city treasurer shall become apprehensive of the loss of any personal property tax on said rolls, if the collection thereof be delayed until said first Monday in October, he shall proceed to the immediate collection of such tax by distress and sale of the property of the person against whom such tax is assessed. Said warrant may be renewed and extended from time to time by the city council, and for such time as they shall determine, and during the time of such renewal and extension, the warrant shall have the same force, and the same percentages shall be added, and the city treasurer shall perform the same duties and make the same returns as above provided. The city treasurer may, and it shall be his duty to proceed by suit, in the name of the city, for the collection of unpaid taxes in the same cases and under like circumstances, in which township treasurers are authorized to proceed in that manner, and all the provisions of law applicable to suits and evidences therein brought by township treasurers in the name of their townships for such purposes shall apply</p>
Proviso as to sale of property for taxes.	
Renewal of warrant.	
Treasurer may bring suit for unpaid taxes.	

to suits brought by the city treasurer as aforesaid. All moneys received by the treasurer as collection fees and interest shall be paid into the city treasury to the credit of the general fund. Moneys, how credited.

SEC. 15. It shall be the duty of the city assessor to make a copy of such assessment roll as finally equalized, upon which he shall at the time and in the manner as provided by law for the levying of taxes in townships, ratably levy upon all the taxable property in said city therein assessed, the amount necessary to be raised in said city for State, county and school taxes, including the city's proportion of the amount of the school taxes certified by the district board of education of the school district number one of the city and township of Kalamazoo as apportioned by the city assessor. The levying of such taxes shall be in accordance with the provision of law governing the levying of such taxes in townships except as herein otherwise provided. The city assessor shall also levy in the same roll upon lands, property and persons chargeable therewith, all re-assessments for State, county and school purposes. Assessor to assess property.

SEC. 16. It shall thereupon be the duty of said city assessor to annex a warrant to said roll, stating the several amounts levied therein, to be paid into the city and county treasuries respectively, and shall command the city treasurer to collect from the several persons named in said roll the several sums named in the last column thereof opposite their respective names, together with a collection fee of one per cent upon all taxes paid and collected before the tenth day of January next thereafter, and to pay over and account for all money collected and specified in the roll as in said warrant directed, on or before the first day of March then next ensuing, and the warrant shall authorize the treasurer, in case any person shall neglect to pay his taxes to levy the same by distress and sale of the goods and chattels of such person. To annex warrant to roll.

SEC. 18. The city treasurer shall forthwith, upon receipt of said tax roll give notice by publishing for three successive days in one or more newspapers published in said city, that such tax roll has been delivered to him and that the taxes therein levied can be paid to him at his office at any time before the tenth day of January then next ensuing, with a collection fee of one per cent added, and that four per cent collection fee will be charged and collected upon all taxes remaining unpaid on said tenth day of January. It shall be the duty of the treasurer to collect both the taxes and the percentages for collection in all cases. All such percentages for fees collected by him shall be paid into the city treasury to be credited to the general fund. Notice of receipt of roll, how given.

SEC. 19. For the collection of all taxes unpaid on and after the tenth day of January, the city treasurer shall proceed in the same manner as township treasurers are required by law to do for the collection of taxes in the townships, To collect taxes.

Duties of treasurer relative to collection of delinquent taxes.

and shall for that purpose have all the powers and authority conferred by law upon township treasurers for such purposes, and shall, when necessary, enforce the payment of taxes by any person by distress and sale of his goods and chattels, if any such can be found anywhere within the county, and it shall not be necessary for such treasurer before levying such tax by distress to give any further or other notice than the notice by publication hereinbefore provided for: **Proviso.** That if at any time after receiving such tax roll and before the tenth day of January next ensuing, the city treasurer shall become apprehensive of the loss of any personal property tax on said tax roll, if collection thereof be delayed until the tenth of January he may proceed to enforce its collection at any time, and if compelled to seize property or bring suit in December and first nine days in January he may add four per cent for collection fees.

When city treasurer to pay taxes to county treasurer. SEC. 22. The city treasurer shall, within one week after the time specified and directed in the warrant annexed to said tax roll, pay to the county treasurer the sum required in said warrant to be so paid, either in delinquent taxes or in funds then receivable by law, and all lands upon which any unpaid tax shall be returned shall be sold therefor the same as lands returned for delinquent taxes by township treasurers. **When to pay to school district number one.** The city treasurer shall, within one week after the time specified and directed in said warrant pay to school district number one of the city and township of Kalamazoo, all moneys assessed on said roll and collected by him for school purposes, and he shall not be required to pay to said school district number one any moneys assessed for school purposes and not collected by him. The city treasurer shall, from time to time, pay to said treasurer of school district number one, all moneys assessed for school purposes, and which have been delinquent and which may be collected after the time specified in said warrant.

Council, power to correct rolls. SEC. 61. The city council shall have full power and authority to correct any manifest clerical errors or double assessments in any of the tax rolls of the city at any time and eliminate the same from said tax rolls by resolutions adopted by the unanimous vote of all the members of the city council, and a copy of any such resolutions so adopted certified to by the city clerk under the seal of the city, shall be an constitute a good and sufficient voucher for the full amount of the taxes covered by such errors or double assessments in any settlement by the city treasurer with any other officer or officers, authorized or required by any law of this State.

Application for apportionment on divided lands. Duty of council. SEC. 62. Should any lots or lands be divided after the original assessment roll has been completed, reviewed, corrected and confirmed as in this chapter provided, the city council may, upon the application of any interested party in writing, at any regular meeting thereof, order and direct the city assessor to apportion the valuation as determined

by the board of review, and taxes assessed, if any, against said lots or lands, to the several parts of lots or lands so divided, and the city assessor shall apportion such valuation and taxes, as so ordered, and shall certify such apportionment to the city council on or before its next regular meeting, and he shall notify in writing the owner or owners, or person or persons in control of such property, of the amount of valuation and taxes, if any be assessed, apportioned, and of the time and place of meeting of the city council next after the certifying of such apportionment as above provided. The city council shall sit as a board of review upon such apportionment at eight o'clock P. M. on the day of the next regular meeting thereof after such apportionment has been made, at which time the city council shall fully hear all appeals or objections to such apportionment. The city council may alter, amend, abate, annul or confirm, in whole or in part, the said apportionment, after hearing all appeals or objections which may be offered by any person or persons interested, and the action of said city council thereon shall be final and conclusive upon all parties, and the portion of all taxes apportioned to each part of said lots or lands so divided, and the taxes afterwards assessed upon the parts of said lots or lands so divided, upon the valuation so apportioned, shall become and remain a lien upon the portion of said lots or lands against which the same has been so apportioned or assessed and reviewed. A complete record of the proceedings had in the matter of such apportionment shall be made by the city clerk in the record of the proceedings of said city council.

Assessor to
notify owners.

Council to
sit as board
of review,
when.

May alter,
etc., appor-
tionment.

Taxes to
constitute
lien.

Record of.

Mortgages,
etc., not to
be recorded
unless taxes
are paid.

Certificate of
payment.

Fee for
furnishing.

Sec. 63. No conveyance or mortgage of real estate located within the limits of the city of Kalamazoo, or contract for the sale of any such real estate, shall be received or recorded by the register of deeds of the county of Kalamazoo, unless all city taxes and assessments, extraordinary as well as ordinary, on the property described in such conveyance, mortgage or contract, then due and payable, shall have been paid; and it shall be the duty of the city treasurer, upon request, after the payment of all such taxes and assessments, to furnish a certificate that such taxes and assessments have been paid, which certificate shall be filed with said register of deeds at the time of the delivery to him of such conveyance, mortgage or contract for record. The city treasurer shall charge and collect a fee of fifteen cents for each certificate so furnished, from the person to whom it is delivered, and shall cover all fees so collected into the city treasury to the credit of the general fund.

CHAPTER XXIII.

SPECIAL ASSESSMENTS.

Assessor to
make roll.

In case owner
is unknown.

Error not to
invalidate.

Special assess-
ment roll.

Installments,
how spread
on roll.

Roll, how
considered.

Warrant,
effect of,
etc.

Assessments
collected
directly from
roll.

SEC. 8. Upon receiving such order and directions, the city assessor shall make out an assessment roll, entering and describing therein all the lots, premises and parcels of land to be assessed, with the names of the persons, if known, chargeable with the assessments thereon; and shall levy thereon and against such persons the amount to be assessed, in the manner directed by the city council and the provisions of this act, applicable to the assessment. In all cases where the ownership of any description is unknown to the city assessor, he shall, in lieu of the name of the owner, insert the name "Unknown;" and if by mistake or otherwise any person shall be improperly designated as the owner of any lot, parcel of land or premises, or if the same shall be assessed, without the name of the owner, or in the name of a person other than the owner, such assessment shall not, for any such cause, be vitiated, but shall, in all respects, be as valid upon and against such lot, parcel of land or premises as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed, be a valid lien on such lot, parcel of land or premises, and collected as in other cases.

SEC. 12. Upon receiving the report mentioned in the preceding section, the city assessor shall make a special assessment roll, and levy as a special assessment therein, upon each lot or parcel of land so reported to him, and against the person chargeable therewith, if known, the whole amount or amounts of all the charges so directed as aforesaid to be levied upon each of such lots or premises respectively, and when completed, he shall report the assessment to the city council.

SEC. 19. If any special assessment shall be divided into installments, the assessment roll upon which said special assessment shall be spread shall be made with separate spaces, showing the amount of each installment, and such roll, when so made shall constitute an assessment roll for each installment as provided by the city council; and the warrant hereinafter provided for, shall command the city treasurer, in addition to all other requirements, to collect the several installments as provided by the city council, together with the interest as provided by law on all installments not paid. Such warrant shall have the same effect and confer the same powers upon the city treasurer as if a separate warrant should be annexed to a separate roll for each installment when due.

SEC. 25. When any special assessment shall be confirmed, and be payable as hereinbefore provided, the city council, instead of requiring the assessments to be reported to the city assessor, as provided in the preceding section, may direct

the assessment so made in the special assessment roll to be collected directly therefrom; and thereupon the city clerk shall attach his warrant to said special assessment roll, therein commanding the city treasurer to collect from each of the persons assessed in said roll, the amount of money assessed to and set opposite his name therein; and in case any person named in said roll shall neglect or refuse to pay his assessment within forty days from the date of the warrant, then to levy and collect the same by distress and sale of the goods and chattels of such person; and return said roll and warrant together with his doings thereon, within sixty days from the date of such warrant.

Refusal to
pay.

CHAPTER XXVII.

MISCELLANEOUS PROVISIONS.

SEC. 2. Members of the city council or other officers of the city shall not be interested, directly nor indirectly, as principal, surety or otherwise, in the fulfillment of any contract, job, work, claim or services, other than official services rendered the city, the compensation for which is to be paid out of the city treasury. This section shall not be considered as prohibiting any member of the city council or other officer of the city from selling goods to the city, or furnishing or performing labor for the city, on accepted bids in competition with others dealing in the same kind of goods, or performing the same class of labor. A violation of the provisions of this section, on the part of any officer of the city, shall work a forfeiture of office; and in addition thereto, such penalty, not exceeding two hundred dollars, as the city council shall by resolution impose.

Officers not to
be interested
in contracts,
etc.

Exception.

Penalty for
violation.

This act is ordered to take immediate effect.

Approved May 22, 1901.

[No. 444.]

AN ACT to amend sections one, four, thirty-nine, forty-three, fifty, seventy-six, seventy-seven, one hundred twenty-seven-a and one hundred forty-two of, and to repeal sections forty-four, forty-five and forty-six, and to add a new section to be known as section one hundred forty-two-a to act number four hundred forty-eight of the local acts of eighteen hundred ninety-seven, entitled as follows: "An act to revise and amend act number three hundred forty-six of the local acts of eighteen hundred eighty-one, entitled 'An act to revise an act to incorporate the city of Bay City,' approved March thirty, eighteen hundred eighty-one, as amended and revised by the several acts amendatory and revisionary thereof."

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections one, four, thirty-nine, forty-three, fifty, seventy-six, seventy-seven, one hundred twenty-seven-a and one hundred and forty-two of act number four hundred forty-eight of the local acts of eighteen hundred ninety-seven, entitled "An act to revise and amend act number three hundred forty-six of the local acts of eighteen hundred eighty-one, entitled 'An act to revise an act to incorporate the city of Bay City,' approved March thirty, eighteen hundred eighty-one, as amended and revised by the several acts amendatory and revisionary thereof," be amended to read as follows:

Boundaries
described.

SECTION 1. That all the district of country in the county of Bay, and State of Michigan, embraced within the following described limits, is hereby constituted and still declared a city, by the name of Bay City; said district of country being included within the following limits, to-wit: Beginning at a point in the middle of the Saginaw river, where the section line between sections fourteen and fifteen in town fourteen north, range five east, crosses said river; thence southerly on a line between said sections fourteen and fifteen and sections twenty-two and twenty-three to the north line of Fillmore Place, according to the Carroll Park plat; thence easterly along the north line of said Fillmore Place, if extended, about sixteen hundred feet to the east line of a tract of land owned by the Bay County Agricultural Society; thence southerly on said east line of said agricultural society's land about twenty-two hundred and sixty-one feet to the center line of Center avenue; thence southerly on said line, if extended, to the section line between sections twenty-three and twenty-six, in township fourteen north, range five east; thence westerly on said section line to the northeast corner of section twenty-seven, town fourteen north, range five east; thence southerly along the east line of section twenty-seven in said township, to the intersection of same with the center

line of Ridge road, so-called; thence southeasterly along the center line of said Ridge road to the intersection of same with the north and south line on the east side of the property known as St. Patrick's cemetery, if said line were extended northerly; thence southerly along the said east line of said property known as St. Patrick's cemetery to the intersection of the same, if extended, with the east and west quarter line of section twenty-six, in township fourteen north, range five east; thence westerly along the east and west quarter line of said section twenty-six to the east line of section twenty-seven in said township; thence southerly along the east line of section twenty-seven in said township to a point where the center line of Fifteenth street if extended east, would intersect said section line; thence westerly along the center line of said Fifteenth street to the center line of Johnson street, thence southerly on the center line of Johnson street to the center line of Twenty-second street, thence westerly on the center line of Twenty-second street to the west side line of section thirty-four in said township; thence southerly on the section line between sections thirty-three and thirty-four to the southwest corner of section thirty-four; thence westerly on a line between section thirty-three and section four to the quarter line of said section four in township thirteen north, range five east; thence southerly on the said quarter line through section four, to the intersection of the southerly line of the Bullock road, so-called; thence northwesterly on the southerly line of said Bullock road, to the intersection of said line with the easterly line of McCormick street, so-called, in John McGraw & Co.'s first addition to Bay City, according to the plat thereof on record in the office of the register of deeds for Bay county; thence southerly along said easterly line of McCormick street, to the intersection of the same with the southerly line of Forty-first street, in said addition, thence westerly along the southerly line of Forty-first street to the intersection of the same with the westerly line of Harrison street; thence northerly along the westerly line of Harrison street to the intersection of the same with the center line of McGraw avenue; thence westerly along the center line of McGraw avenue, if produced and continued, to the center of the island in said river known as the middle ground; thence northerly and easterly through the center of said island or middle ground, and thence to and along the center of said river to the place of beginning.

SEC. 4. At the first annual election after the passage of this act, and at each annual election thereafter, there shall be elected one alderman in each ward of said city by the electors thereof, voting in their several wards, who shall hold his office for two years. There shall be elected annually in each ward, by the electors thereof, one supervisor and one constable, each of whom shall hold his office for one year. Each of said supervisors shall be the supervisor of the ward

Officers,
when elected.

Supervisor,
term of office.

Recorder, term of office.	for which he was elected, with all the powers of supervisors of townships in this State, and subject in all respects to the provisions of law regulating the duties of township supervisors, except as herein otherwise provided. At the annual charter election in April, eighteen hundred and ninety-eight, and every two years thereafter, there shall be elected on the general city ticket, by the qualified electors of said city,
Mayor.	one recorder, who shall hold his office for two years; and at the annual charter election in April, eighteen hundred and ninety-nine, and every two years thereafter there shall be elected one mayor and one treasurer, each of whom shall hold
Comptroller.	his office for the term of two years. At the annual charter election in April, nineteen hundred and one, and every four years thereafter there shall be elected one comptroller, who
Justice of peace.	shall hold his office for four years. At said charter election in April, nineteen hundred and one, and every two years thereafter there shall be elected one justice of the peace,
Proviso.	who shall hold his office for four years: Provided, That the term of office of William E. Callendar, one of the justices of the peace of said city, shall be and remain until his suc-
Duties, etc., of.	cessor shall have been elected at the annual election in April, nineteen hundred and three, and shall have qualified. Jus-
Eligibility to office.	tices of the peace of said city shall have the same jurisdiction and power, perform the same duties and be subject to the same liabilities as justices of the peace of townships in this State, except as herein otherwise provided. The term of office of said justice of the peace shall commence when
Aldermen, compensa- tion of.	elected and qualified. Each of the officers mentioned in this section shall continue in office until his successor is elected and shall have qualified. No person shall be eligible for elec-
Council may borrow money for payment of certain bonds.	tion to, or hold the office of mayor, who is holding any judicial office or who is holding any State or county office for which a stipulated annual salary is paid or received. The treasurer shall be eligible for election twice in succession. The alder-
Council may contract with banks for keeping of money.	men shall receive for their services as a full compensation the sum of two dollars for each session when actually in attendance. No person shall be eligible to any elective office who is not an elector of said city; and no person shall be eligible to any ward office who is not an elector of such ward.
	SEC. 39. The common council of Bay City shall have the power and authority, during the years nineteen hundred two, nineteen hundred three and nineteen hundred four, to borrow by loan such sum or sums, not exceeding sixty thousand dollars, as said council shall deem necessary for the purpose of paying said water works bonds heretofore issued by said city of Bay City, which mature and become due during the years nineteen hundred two, nineteen hundred three and nineteen hundred four.
	SEC. 43. On the last Tuesday in April in each year, as soon as practicable thereafter, the recorder shall send notices to each of the banks in Bay City, soliciting sealed bids for the deposit of the funds of the city, for the ensuing year, which

bids shall be delivered to the recorder who shall present all such bids to the common council at its first regular meeting thereafter, when they shall be opened and read. The council may for any reason by it deemed sufficient reject any or all such bids, and order the disposition of such bids as hereinafter specified. If one or more of such bids shall be deemed satisfactory by the council, it may contract with the bank tendering the most satisfactory bid for the safe keeping of all city moneys, to be drawn on account current by the city through its proper officer or officers. At the time of making any such contract such bank shall give a bond to the city, with sureties to be approved by the common council, sufficient to protect the city from loss, and the treasurer shall be relieved from all liability for such moneys so deposited in such bank until the same are drawn out by him. If for any reason no contract shall be made with any bank, then the city treasurer shall control and be responsible for all public moneys. All interest received shall belong and be credited to the general fund.

Bank to give bond.

When treasurer responsible for moneys.

SEC. 50. The mayor of the city, chosen and qualified as hereinbefore provided, shall be taken and deemed to be the chief executive officer of Bay City, and conservator of its peace. He shall be compensated for his services by a salary of five hundred dollars per annum; he shall from and after October first, A. D. nineteen hundred one, be ex officio member of the board of supervisors of Bay county, shall attend all meetings thereof, and be entitled to vote upon all matters that may be brought before said board, and shall receive the same compensation therefor, to be audited by said board and paid by the county, as is authorized by law to be paid township supervisors.

Mayor, duties, compensation, etc.

Ex-officio member of board of supervisors.

SEC. 76. The city attorney shall hold office for the term of two years and until his successor shall have been appointed and shall have qualified. In case of vacancy during said term a successor shall be appointed for the remainder of the unexpired term. In addition to all other duties prescribed by the provisions of this act, he shall be the legal advisor of the common council and all of the officers and boards of said city. He shall act as attorney and solicitor for the city in all legal proceedings in which it is interested, and shall prosecute all offenses against the ordinances of the city; he shall attend the meetings of the different boards, when required by them. He shall from and after October first, A. D. nineteen hundred one, be ex officio member of the board of supervisors of Bay county, shall attend all meetings thereof and be entitled to vote upon all matters that may be brought before said board and shall receive the same compensation therefor, to be audited by said board and paid by the county, as is authorized by law to be paid township supervisors.

Attorney, term of office, duties, etc. Vacancy.

Ex-officio member board of supervisors.

Street commissioner,
duties, term,
etc.
Vacancy.

Control, etc.,
of equipments.

Record to be
kept, what
to contain.

To take oath
and file
security.

When
treasurer
to collect.

Refusal—
sale of
chattels.

SEC. 77. The street commissioner shall hold his office for the term of two years and until his successor shall have been appointed and shall have qualified. In case of a vacancy in said office, a successor shall be appointed for the remainder of the unexpired term. Said street commissioner shall be responsible for, and have the custody and control of all wagons, street rollers, sprinklers, horses and their equipments, scrapers, all tools, implements, materials and other property of every kind and description, belonging to said city, and used or to be used in, upon and for grading, sprinkling, cleaning, improving or repairing streets, alleys, or public places and sidewalks in said city. He shall superintend the repairing, and cleaning of all streets, lanes, alleys, bridges, sidewalks, crosswalks and drains within the limits of said city, and perform such other duties as are required by any resolution or ordinance now in force, or that may hereafter be adopted by the common council. When the council shall order or direct the making, opening, extension or grading of any street, lane or alley within the limits of said city, said street commissioner shall superintend the work thereof, under the supervision of the city engineer. Said street commissioner shall destroy or cause to be destroyed, all milk weed, Canada thistles and other noxious weeds, as provided by the general law of the State in relation thereto. The council shall cause a record to be kept of all work performed in the street commissioner's department, which record shall show the date, nature and location of each piece of work performed, the names of the persons employed thereon, the time of the employment of each person thereon, the cost of each such piece of work, and the date of the payment therefor; also a record of all the materials purchased for use in said department and an account of the use to which such material is put, designating the quantity, time and place of such use; and all such records shall be so kept and indexed that the facts so accounted and recorded may be readily and easily referred to. Before entering upon the duties of his office, and within twenty days after notice of his appointment, the street commissioner shall take the oath of office, and give such security for the faithful performance and discharge of his duties as the council may require and direct; but such security shall be for a sum not less than two thousand dollars.

SEC. 127a. Upon receiving said roll and warrant, the said city treasurer shall proceed to collect of the several persons named in the roll the amount assessed against them thereon, with the interest thereon as commanded by said warrant. In case any person named in said roll shall neglect or refuse to pay his tax, it shall be the duty of the treasurer to levy the same by distress and sale of the goods and chattels of such person, wherever the same may be found within the county of Bay. In the event of any property being seized by the

treasurer as above prescribed, he shall proceed to advertise and sell the same, in the manner provided by law for the sale of chattels seized by the treasurer under a warrant annexed to a city tax roll.

SEC. 142. Whenever the council shall order the paving or macadamizing of any street or alley, or covering the same with pounded or broken stone, or the construction or building of any main sewer, the cost whereof is to be paid by a local tax assessed according to the benefits, it shall also direct that the several assessments therefor be divided into five equal installments payable annually; when it shall order the construction or building of any lateral sewer or permanent sidewalk, or any sidewalk which by ordinance may be designated as a permanent walk it may order that the assessments levied for the cost of construction thereof be divided into not more than three equal installments payable annually. All other local improvements shall be levied and collected in one installment as hereinbefore provided. When any assessment is ordered payable in installments, a tax roll for such improvement shall be made out by the comptroller, showing in separate columns the amount of each installment, as provided for by the common council. Such tax roll shall be delivered to the city treasurer and by him retained for the period of thirty days from and after the first day of the next calendar month after the delivery of such roll to him, during which time he shall receive all taxes thereon that may voluntarily be paid to him, at which time said roll shall be delivered to the comptroller, who shall attach his warrant thereto and deliver said roll to the treasurer, commanding him in said warrant to collect, on or before two calendar months, the first installment of said tax roll, with interest thereon at the rate of one per cent per month, or fraction of a month; and shall further command said treasurer to make collection for each installment, as provided in the resolution ordering the same, with interest thereon at the rate of five per centum per annum, from the date of said warrant to the time the installments, respectively, become due and payable, unless sooner paid, in which case interest shall be computed and collected to the time of payment; after each installment shall become due and payable, to add thereto and collect one per centum interest for each month, or fraction of a month, from the time each installment shall become due and payable to the time such installment is transferred into the county roll. Each installment of such assessment shall become due and payable as follows: The first, at the date of the warrant; the second and third, or more as the case may be, in one, two, three or more years, respectively, from the date of the warrant: Provided however, That any assessment may be paid to the city treasurer at any time before it shall become due and payable, with interest thereon at the rate of five per centum per annum

Assessments for public improvements, how paid.

How placed on roll.

Roll delivered to treasurer.

Warrant of comptroller, what to command.

Installments, when due.

Proviso.

Further proviso.	from the date of the warrant to the time of payment: Provided further, That when an assessment is levied to be paid and collected in installments, the proceedings therefor shall be the same as upon assessment rolls, except that but one roll therefor shall be made, and the several installments shall be designated numerically, and entered in columns prepared for that purpose. Said roll shall be delivered to and returned by the treasurer, and proceedings had with reference to each of said installments, as though a roll had been prepared for each of said installments. At the expiration of the time provided for the collection of each installment, the comptroller shall make a transcript of so much of said installment as remains delinquent, with interest at the rate of one per cent per month, or fraction of a month, and the same proceedings had as provided in section one hundred and thirty-seven, until the same is transferred to the county tax roll, as provided in said section, and these shall be added to the city taxes in the county tax roll.
Transcript of delinquent installment.	
Sections repealed.	SEC. 2. That sections forty-four, forty-five, and forty-six of said act be and they are hereby repealed.
Section added.	SEC. 3. That a new section be added to said act, to be known as section one hundred forty-two a, and to read as follows:
Proceedings in case of irregularity.	SEC. 142 a. In case any special assessment heretofore or hereafter made for the cost of constructing any public work, shall in the opinion of the common council be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessment to be illegal, the common council shall, when such public work or any part thereof has been constructed or the contract let for the construction thereof, and may when no contract shall have been let, and no work done or performed upon such public work, have power to cause a new assessment roll to be made as often as necessary, for the same purposes for which the former assessment was made, whether any part of such former assessment has been paid or not. All the proceedings for such assessment and for the collection thereof, shall be conducted as near as may be in the same manner as provided for the original assessment: Provided, That if the irregularity or informality, for which any assessment is declared or adjudged invalid, consists of any omission or deficiency, such omission or deficiency shall be supplied by the common council, the board of public works, the comptroller, or the treasurer, as the case may require, if the same can be done without prejudice to the person or persons assessed: Provided further, That no judgment or decree of any court, nor any act of the common council rejecting or vacating a special assessment, shall destroy or impair the lien of the city in the premises assessed, for such amount of assessment as may be equitably charged against the same, or as by a regular mode of proceeding might have
Proviso as to omissions, etc.	
Further proviso as to lien.	

been lawfully assessed thereon. If at the time of the making of the original assessment, there shall have been no specific law requiring the matter or thing, which on account of the omission or insufficiency thereof the assessment shall be deemed invalid, it shall nevertheless be supplied, in such manner as shall be directed by the court or common council. Whenever any sum or any part thereof, levied upon any premises in the assessment so set aside, shall have been paid, the payment so made shall be applied upon the re-assessment on such premises, and the re-assessment shall to that extent be deemed satisfied. When no re-assessment shall be made the moneys so paid shall be refunded.

When payment applied on re-assessment or returned.

This act is ordered to take immediate effect.

Approved May 23, 1901.

[No. 445.]

AN ACT to amend sections two and three of act number four hundred of the local acts of the State of Michigan for the year eighteen hundred ninety-nine, entitled "An act to provide for the payment of a salary to certain township officers in the township of Springwells in the county of Wayne, and to fix the salaries thereof."

The People of the State of Michigan enact:

SECTION 1. That sections two and three of act number four hundred of the local acts of the State of Michigan for the year eighteen hundred ninety-nine, entitled "An act to provide for the payment of a salary to certain township officers in the township of Springwells in the county of Wayne, and to fix the salaries thereof," is hereby amended so as to read as follows:

Sections amended.

SEC. 2. The supervisor shall receive as an annual salary the sum of twelve hundred dollars, and in addition thereto the further sum of three hundred dollars with which to hire a clerk; the township clerk shall receive as an annual salary the sum of six hundred dollars; the highway commissioner shall receive as an annual salary the sum of six hundred dollars; the two justices of the peace, who are members of the township board, shall receive as an annual salary the sum of one hundred and fifty dollars each.

Salary of township officers.

SEC. 3. The salary of any supervisor, township clerk, highway commissioner or justice of the peace shall not be increased or diminished during the term of his office; and the taking of fees or receiving of any compensation other than herein prescribed is hereby prohibited, except for serv-

When not to be increased or diminished.

How raised. ices on election and registration boards. The salaries of the officers shall be raised by taxation upon all taxable property of said township the same as township, school, highway and other taxes are now raised under the general laws of the State; said tax shall be designated upon the tax roll of said township as "salary of township officers."

How designated. This act is ordered to take immediate effect.
Approved May 23, 1901.

[No. 446.]

AN ACT to authorize the city of Grand Haven, in Ottawa county, to assess and collect the tax on the toll bridge across Grand river in said city for the year nineteen hundred one.

The People of the State of Michigan enact:

Who to assess toll bridge. SECTION 1. That the supervisor of the first ward in Grand Haven city be and is hereby authorized to assess the toll bridge across Grand river, in the city of Grand Haven, Ottawa county, for the year one thousand nine hundred and one, the same as other like property is assessed under the general tax laws of the State, with the same force and effect, as if said bridge had been located within the limits of said city of Grand Haven, and assessed therein as of the second Monday in April, nineteen hundred one.

Treasurer to collect tax. SEC. 2. The city treasurer of the city of Grand Haven, is hereby authorized to collect the tax authorized to be assessed by section one of this act in the same manner, and with the same force and effect as other like taxes are collected in the city of Grand Haven, under the general tax laws of this State.

This act is ordered to take immediate effect.
Approved May 27, 1901.

[No. 447.]

AN ACT to provide for the organization of the township of Sheridan in the county of Mason, into a single school district.

The People of the State of Michigan enact:

SECTION 1. That whenever the qualified electors of the township of Sheridan, Mason county, Michigan, desire to become organized into a single school district they may petition the township board to give notice that at the succeeding township meeting the officers for such organized school district will be chosen, and such other business transacted as shall be necessary thereto. Such petition shall be signed by a majority of the qualified electors of the township and shall be filed in the office of the township clerk at least fifteen days prior to the annual township meeting. Upon the receipt and filing of said petition, the township clerk shall notify the township board and the school inspectors of the township to attend a special meeting to be held not more than five days thereafter, and at which meeting it shall be the duty of such township board to compare the names signed to the petition with the names appearing on the list of registered voters qualified to vote at the preceding election, and if it be found that a majority of the voters qualified to vote at the preceding election have signed the petition that the organized township of which they are resident be organized as a single school district, they shall give notice that at the then succeeding township meeting officers will be chosen for such organized school district; and shall make and file, both with the county clerk and the secretary of the board of school inspectors of the county in which such township is located, a certified copy of the above mentioned petition, together with their finding and doings thereon, and thereupon such township shall become a single school district which shall be subject to all the general laws of the State, so far as the same may be applicable, and said district shall have all the powers and privileges conferred upon union school districts by the laws of this State, all the general provisions of which relating to common or primary schools shall apply and be enforced in said district, except such as shall be inconsistent with the provisions of this act, and all schools organized in said district in pursuance of this act, under the directions and regulations of said board of education shall be public and free to all persons actual residents within the limits thereof, between the ages of five and twenty years, inclusive, and to such other persons as the board of education shall admit: Provided, That whenever the majority of electors in any surveyed township in such organized township shall petition the board of education to establish a

Organization of township into school district.

Petition.

Notice of special meeting.

Duty of township board.

When officers chosen.

Subject to general laws.

Proviso.

	school or schools therein, the said board of education are hereby authorized and directed within three months thereafter to organize such school or schools therein.
Board of education, who to constitute.	SEC. 2. The officers of said district shall consist of two trustees, who together with the clerk and school inspectors of said township, shall constitute the board of education of said district. Said trustees shall be elected by ballot at the annual township meeting of the township, upon the same ticket and canvassed in the same manner as township officers required by law to be elected by ballot: Provided, That at the annual election to be held in said township next subsequent to the filing of the petition as set forth in section one of this act, there shall be elected two trustees for said district by the electors thereof, one of whom shall hold his office for the term of one year and the other one for the term of two years, and until their successors shall be elected and qualified and the time for which the person voted for is intended shall be designated on the ballot, and at each election thereafter to be held, one trustee shall be elected in said district, who shall hold his office for the term of two years, and until his successor shall be elected and qualified, said trustee to be designated on the ticket or ballot for "member of board of education."
How and when trustees elected.	
Proviso.	
Term of office.	
Clerk to notify.	SEC. 3. Within five days after the annual election the township clerk shall notify, in writing, the persons elected trustees under this act of their election, and within five days thereafter said trustees so elected shall take and subscribe the oath of office prescribed by the constitution of this State, before any officer authorized to administer oaths, and file the same with the township clerk. The term of office of the trustees of said district shall commence on the second Monday following the annual township election at which they are elected.
Oath.	
When term to commence.	
Meeting of board.	SEC. 4. The members of the board of education shall meet on the third Monday of April of each year, at the office of the township clerk, and organize. The school inspector of the township whose term of office will soonest expire shall be president of the board and shall be entitled to vote in all cases. In the absence of the president at any meeting, a majority of the members present may choose one of their own number president pro tem. The township clerk of said township shall be ex officio clerk of said board of education, and shall be entitled to vote thereon, and in case of the absence of said clerk the board may choose some suitable person to perform his duties. Said board shall on said third Monday of April in each year elect from their own number a treasurer, who shall hold his office for one year and until his successor is elected and qualified, and may at any time fill a vacancy in the office of treasurer: Provided, That the said person appointed to fill a vacancy in the office of treasurer shall hold the office for the unexpired portion of the
President.	
Ex-officio clerk of board.	
Treasurer.	
Proviso.	

term only. The treasurer of said board shall within five Oath.
 days after his appointment as such treasurer, file with the
 clerk of said board the constitutional oath of office. He shall, Bond.
 also, before entering upon the duties of his office, give a bond
 to said district in such sum and with such sureties as said
 board shall determine and approve, conditioned for the faith-
 ful performance of his duties under this act, and honestly
 accounting for all moneys coming into his hands belonging
 to said district. The treasurer of said board shall have the Duties of.
 keeping of all school and library moneys, and shall not pay
 out the same without the authority of the board, upon war-
 rants or orders drawn upon him and signed by the clerk and
 countersigned by the president.

SEC. 5. Said board of education shall have power to fill Vacancies,
 vacancies that may occur in the office of trustee until the how filled.
 next annual election, and such trustee shall file with the
 clerk of said board his oath of office within five days after
 such appointment by the board.

SEC. 6. A majority of the members of said board shall Quorum.
 constitute a quorum, and the regular meetings of said board Regular
 shall be held on the third Monday of April, August and meetings.
 December in each year, and no notice of such meeting shall
 be required, and any two members of said board shall be
 sufficient to adjourn any meeting from time to time until a
 quorum is present. Special meetings of said board may Special
 be called at any time on the request of the president, or any meetings.
 two members thereof, in writing, delivered to the clerk; and
 the clerk, upon receiving such request, shall at once notify
 each member of said board, if within said district, of the
 time of holding such meeting, which shall be at least three
 days subsequent to the time of receiving such request by
 said clerk. All meetings of the board shall be held at the Where meet-
 township clerk's office, unless otherwise ordered by a resolu- ings held.
 tion of the board; and all records and papers of said district
 shall be kept in the custody of said clerk and shall be open
 to the inspection of any taxpayer of said district.

SEC. 7. The said board shall be the board of school in- Board of
 spectors for said district, and shall, as such, report to the school
 clerk of the county in which such township is located, and inspectors.
 shall have all the powers and perform all the duties now
 enjoyed and performed by boards of school inspectors, and
 the president of said board shall perform all the duties re-
 quired by law of the chairman of the board of school in-
 spectors, and the board of school inspectors for such town-
 ship is hereby abolished, except as its powers are vested in
 said board of education.

SEC. 8. The board of education of said district shall have General
 power and authority to designate and purchase school house powers of
 sites, consolidate schools, provide for the transportation of board as to
 pupils to and from school, erect buildings and furnish the schools, etc.
 same, employ legally qualified teachers, provide books for

Regulations and by-laws.	<p>district library, make by-laws relative to taking the census of all children in said district between the ages of five and twenty years, and to make all necessary reports and transmit the same to the proper officers, as designated by law, so that the district may be entitled to its proportion of the primary school fund; and said board shall have authority to make all needful regulations and by-laws relative to visitation of schools; relative to the length of time schools shall be kept, which shall not be less than seven months in each year; relative to the employment of teachers duly and legally qualified; relative to the regulation of schools and the books to be used therein, and generally to do all things needful and desirable for the maintenance, prosperity and success of the schools of said district, and the promotion of a thorough education of the children thereof. It shall be the duty of the treasurer of said board to apply for and receive from the township treasurer or other officer holding the same, all moneys appropriated for primary school and district library of said district.</p>
When electors determine tax.	<p>SEC. 9. At each annual township meeting held in said township, the qualified electors present shall determine the amount of money to be raised by tax for all school purposes for the ensuing year: Provided, That in case the electors</p>
Proviso.	<p>at any annual township meeting shall neglect or refuse to determine the amount to be raised as aforesaid, then the board of education shall determine the same at any regular meeting thereof, which amount the township clerk shall, within sixty days thereafter, certify to the supervisor of the township, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as other township taxes:</p>
Proviso as to amount.	<p>Provided, That for purchasing school lots and for erecting school houses, no greater sum than three mills on the dollar of all the taxable valuation of the real and personal property in said township shall be levied in any year.</p>
What taxes in separate column.	<p>SEC. 10. All taxes assessed within said township for school purposes shall be set forth in the assessment roll of said township, in a separate column, apart and distinct from all other township taxes.</p>
Treasurer to report to board.	<p>SEC. 11. The treasurer of the township shall, at any time, at the written request of the said board of education, report to said board the amount of school money in his hands, and shall, on the order of the president of the said board of education, pay to the treasurer of said board all such money, taking his receipt therefor, and also a duplicate receipt which he shall file with the clerk of said board.</p>
Annual statement of board.	<p>SEC. 12. The said board shall annually, prior to the first day of April of each year, make a detailed statement of the number of schools in said district, the number of teachers employed, and the number of pupils instructed therein during the preceding year, and the expenditures of said board for all</p>

purposes, and also the resources and liabilities of said district, which report or statement shall be entered at length in the record of said board and shall be publicly read by the president of said board, or in his absence, by the clerk thereof, to the electors of said township at their annual meeting on the first Monday of April thereafter, at the hour of twelve o'clock noon.

Where report entered.

SEC. 13. All school property, both real and personal, within the limits of a township incorporated aforesaid, shall, by force of this act, become the property of the public schools of such township, and all debts and liabilities of the primary school districts of said township, as they existed prior to its incorporation under the provisions of this act, shall become the debts and liabilities of said public schools of the township so incorporated.

School property.

SEC. 14. All money raised, or being raised, by tax, or accrued or accruing to the school districts of said township, as organized under the primary school laws of this State, shall hereby become the money of the public school of the township, and no tax heretofore ordered assessed or levied for school purposes in said township, or other proceedings, shall be invalidated or affected by means of this act.

School money.

SEC. 15. The compensation of the members of the board of education shall be one dollar and fifty cents for each day's actual service rendered for said district, and the clerk and treasurer of said board shall receive such compensation for their services as the board may determine, not exceeding fifty dollars each per annum.

Compensation.

SEC. 16. When any township district shall be divided into two or more townships, the existing board of trustees shall continue to act for all the townships until the same have been organized and township boards of trustees duly elected and qualified therein. Immediately after such organization the township boards of each of the townships shall meet in joint session and direct an appraisal of all the school property of the former township to be made. When such appraisal has been made, said township board shall make an equitable division of the existing assets and liabilities of the school district of such former township, basing their apportionment upon the amount of taxable property in the township divided, as shown by the last assessment roll of such former township. When a township district shall be altered in its limits by annexing a portion of its territory to another township or townships, the township board of each of the townships shall, immediately after such alteration, meet in joint session and make an equitable division of the assets and liabilities of the school district of the township from which the territory has been detached, basing their division upon the amount of taxable property, as the same shall appear upon the last assessment roll of such township.

When district divided, who to act.

Appraisal of property.

Division to be equitable.

Approved May 27, 1901.

[No. 448.]

AN ACT to provide for the organization of the township of Hamlin, in the county of Mason, into a single school district.

The People of the State of Michigan enact:

Organization of township into school district.

Petition, by whom signed, when and where filed.

Notice of special meeting.

Duty of township board.

When officers to be chosen.

To be subject to general laws.

Proviso.

SECTION 1. That whenever the qualified electors of the township of Hamlin, Mason county, Michigan, desire to become organized into a single school district they may petition the township board to give notice that at the succeeding township meeting the officers for such organized school district will be chosen, and such other business transacted as shall be necessary thereto. Such petition shall be signed by a majority of the qualified electors of the township and shall be filed in the office of the township clerk at least fifteen days prior to the annual township meeting. Upon the receipt and filing of said petition, the township clerk shall notify the members of the township board and the school inspectors of the township to attend a special meeting to be held not more than five days thereafter, and at which meeting it shall be the duty of such township board to compare the names signed to the petition with the names appearing on the list of registered voters qualified to vote at the preceding election, and if it be found that a majority of the voters qualified to vote at the preceding election have signed the petition that the organized township of which they are resident be organized as a single school district, they shall give notice that at the then succeeding township meeting officers will be chosen for such organized school district; and shall make and file, both with the county clerk and the secretary of the board of school inspectors of the county in which such township is located, a certified copy of the above mentioned petition, together with their finding and doings thereon, and thereupon such township shall become a single school district which shall be subject to all the general laws of the State, so far as the same may be applicable, and said district shall have all the powers and privileges conferred upon union school districts by the laws of this State, all the general provisions of which relating to common or primary schools shall apply and be enforced in said district, except such as shall be inconsistent with the provisions of this act, and all schools organized in said district in pursuance of this act, under the directions and regulations of said board of education shall be public and free to all persons actual residents within the limits thereof, between the ages of five and twenty years, inclusive, and to such other persons as the board of education shall permit: Provided, That whenever the majority of electors in any surveyed township in such organized township shall petition

the board of education to establish a school or schools therein, the said board of education are hereby authorized and directed within three months thereafter to organize such school or schools therein.

SEC. 2. The officers of said district shall consist of two trustees, who together with the clerk and school inspectors of said township, shall constitute the board of education of said district. Said trustees shall be elected by ballot at the annual township meeting of the township, upon the same ticket and canvassed in the same manner as township officers required by law to be elected by ballot: Provided, That at the annual election to be held in said township next subsequent to the filing of the petition as set forth in section one of this act, there shall be elected two trustees for said district by the electors thereof, one of whom shall hold his office for the term of one year and the other one for the term of two years, and until their successors shall be elected and qualified and the time for which the person voted for is intended shall be designated on the ballot, and at each election thereafter to be held, one trustee shall be elected in said district, who shall hold his office for the term of two years, and until his successor shall be elected and qualified, said trustee to be designated on the ticket or ballot for "member of board of education."

Who to constitute board of education.

How trustees elected.

Proviso.

Term of office.

SEC. 3. Within five days after the annual election the township clerk shall notify, in writing, the persons elected trustees under this act of their election, and within five days thereafter said trustees so elected shall take and subscribe the oath of office prescribed by the constitution of this State, before any officer authorized to administer oaths, and file the same with the township clerk. The term of office of the trustees of said district shall commence on the second Monday following the annual township election at which they were elected.

When clerk to notify persons elected.

Oath of office.

When to commence.

SEC. 4. The members of the board of education shall meet on the third Monday of April of each year, at the office of the township clerk, and organize. The school inspector of the township whose term of office will soonest expire shall be president of the board and shall be entitled to vote in all cases. In the absence of the president at any meeting, a majority of the members present may choose one of their own number president pro tem. The township clerk of said township shall be ex officio clerk of said board of education, and shall be entitled to vote thereon, and in the absence of said clerk the board may choose some suitable person to perform his duties. Said board shall on said third Monday of April in each year elect from their own number a treasurer, who shall hold his office for one year and until his successor is elected and qualified, and may at any time fill a vacancy in the office of treasurer: Provided, That the person appointed to fill a vacancy in the office of treasurer shall hold

When and where board to meet.
President.

Township clerk, clerk ex-officio of board.

Board to elect treasurer.

Proviso.

When to file oath.	the office for the unexpired portion of the term only. The treasurer of said board shall within five days after his appointment as such treasurer, file with the clerk of said board
To give bond.	the constitutional oath of office. He shall, also, before entering upon the duties of his office, give a bond to said district in such sum and with such sureties as said board shall determine and approve, conditioned for the faithful performance of his duties under this act, and honestly accounting for all moneys coming into his hands belonging to said district. The treasurer of said board shall have the keeping of all school and library moneys, and shall not pay out the same without the authority of the board, upon warrants or orders drawn upon him and signed by the clerk and countersigned by the president.
Board to fill vacancies.	SEC. 5. Said board of education shall have power to fill vacancies that may occur in the office of trustee until the next annual election, and such trustee shall file with the clerk of said board his oath of office within five days after such appointment by the board.
Quorum. Regular meetings.	SEC. 6. A majority of the members of said board shall constitute a quorum, and the regular meetings of said board shall be held on the third Monday of April, August and December in each year, and no notice of such meeting shall be required, and any two members of said board shall be sufficient to adjourn any meeting from time to time until a quorum is present. Special meetings of said board may
Special meetings.	be called at any time on the request of the president, or any two members thereof, in writing, delivered to the clerk; and the clerk, upon receiving such request, shall at once notify each member of said board, if within said district, of the time of holding such meeting, which shall be at least three days subsequent to the time of receiving such request by said clerk. All meetings of the board shall be held at the township clerk's office, unless otherwise ordered by a resolution of the board; and all records and papers of said district shall be kept in the custody of said clerk and shall be open to the inspection of any taxpayer of said district.
Where meetings to be held.	
Records.	
To be school inspectors.	SEC. 7. The said board shall be the board of school inspectors for said district, and shall, as such, report to the clerk of the county in which such township is located, and shall have all the powers and perform all the duties now enjoyed and performed by boards of school inspectors, and the president of said board shall perform all the duties required by law of the chairman of the board of school inspectors, and the board of school inspectors for such township is hereby abolished, except as its powers are vested in said board of education.
Powers and duties.	
Power of board relative to schools.	SEC. 8. The board of education of said district shall have power and authority to designate and purchase school house sites, consolidate schools, provide for the transportation of pupils to and from school, erect buildings and furnish the

same, employ legally qualified teachers, provide books for district library, make by-laws relative to taking the census of all children in said district between the ages of five and twenty years, and to make all necessary reports and transmit the same to the proper officers, as designated by law, so that the district may be entitled to its proportion of the primary school fund; and said board shall have authority to make all needful regulations and by-laws relative to visitation of schools; relative to the length of time schools shall be kept, which shall not be less than seven months in each year; relative to the employment of teachers duly and legally qualified; relative to the regulation of schools and the books to be used therein, and generally to do all things needful and desirable for the maintenance, prosperity and success of the schools of said district, and the promotion of a thorough education of the children thereof. It shall be the duty of the treasurer of said board to apply for and receive from the township treasurer or other officer holding the same, all moneys appropriated for primary school and district library of said district.

Regulations
and by-laws.

Treasurer
to receive
all moneys.

SEC. 9. At each annual township meeting held in said township, the qualified electors present shall determine the amount of money to be raised by tax for all school purposes for the ensuing year: Provided, That in case the electors at any annual township meeting shall neglect or refuse to determine the amount to be raised as aforesaid, then the board of education shall determine the same at any regular meeting thereof, which amount the township clerk shall, within sixty days thereafter, certify to the supervisor of the township, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as other township taxes: Provided, That for purchasing school lots and for erecting school houses, no greater sum than three mills on the dollar of all the taxable valuation of the real and personal property in said township shall be levied in any one year.

Qualified
electors to
determine
amount to
be raised
by tax.
Proviso.

Proviso.

SEC. 10. All taxes assessed within said township for school purposes shall be set forth in the assessment roll of said township, in a separate column, apart and distinct from all other township taxes.

What taxes
in separate
column.

SEC. 11. The treasurer of the township shall, at any time, at the written request of the said board of education, report to said board the amount of school money in his hands, and shall, on the order of the president of the said board of education, pay to the treasurer of said board all of such money, taking his receipt therefor, and also a duplicate receipt which he shall file with the clerk of said board.

Township
treasurer
to report
amount on
hand on
written
request.

SEC. 12. The said board shall annually, prior to the first day of April in each year, make a detailed statement of the number of schools in said district, the number of teachers employed, and the number of pupils instructed therein during the preceding year, and the expenditures of said board

Annual state-
ment of board.

- Report to be entered in records.** for all purposes, and also the resources and liabilities of said district, which report or statement shall be entered at length in the record of said board and shall be publicly read by the president of said board, or in his absence, by the clerk thereof, to the electors of said township at their annual meeting on the first Monday of April thereafter, at the hour of twelve o'clock, noon.
- School property.** SEC. 13. All school property, both real and personal, within the limits of a township incorporated aforesaid, shall, by force of this act, become the property of the public schools of such township, and all debts and liabilities of the primary school districts of said township, as they existed prior to its incorporation under the provisions of this act, shall become the debts and liabilities of said public schools of the township so incorporated.
- Debts and liabilities.**
- School money.** SEC. 14. All money raised, or being raised, by tax, or accrued or accruing to the school districts of said township, as organized under the primary school laws of this State, shall hereby become the money of the public school of the township, and no tax heretofore ordered assessed or levied for school purposes in said township, or other proceedings, shall be invalidated or affected by means of this act.
- Compensation.** SEC. 15. The compensation of the members of the board of education shall be one dollar and fifty cents for each day's actual service rendered for said district, and the clerk and treasurer of said board shall receive such compensation for their services as the board may determine, not exceeding fifty dollars each per annum.
- Division of districts, who to act.** SEC. 16. When any township district shall be divided into two or more townships, the existing board of trustees shall continue to act for all the townships until the same have been organized and township boards of trustees duly elected and qualified therein. Immediately after such organization, the township boards of each of the townships shall meet in joint session and direct an appraisal of all the school property of the former township to be made. When such appraisal has been made, said township boards shall make an equitable division of the existing assets and liabilities of the school district of such former township, basing their apportionment upon the amount of taxable property in the township divided, as shown by the last assessment roll of such former township. When a township district shall be altered in its limits by annexing a portion of its territory to another township or townships, the township board of each of the townships shall, immediately after such alteration, meet in joint session and make an equitable division of the assets and liabilities of the school district of the township from which the territory has been detached, basing their division upon the amount of taxable property, as the same shall appear upon the last assessment roll of such township.
- Assets and liabilities to be divided.**

Approved May 27, 1901.

[No. 449.]

AN ACT to provide for the election of the county auditors for the county of Wayne and to fix their term of office.

The People of the State of Michigan enact:

SECTION 1. That no election or appointment of a county auditor for the county of Wayne shall after the year nineteen hundred one be made by the board of supervisors of said county, but instead thereof at the general election held in April, nineteen hundred three, and at the general election held in November, nineteen hundred four, and at the general election held in April, nineteen hundred five, and at similar elections held every fourth year after each election above named, a county auditor for said county shall be elected, whose term of office shall be four years, beginning on the first day of January, next after his election, and until his successor is elected and qualified. Any county auditor whose term of office shall expire before his successor is elected, as herein provided, shall continue to hold office provisionally during any vacancy that may be caused by the change herein provided in the time and manner of election and taking office until his successor shall take office as provided herein.

Auditor,
when elected.

Term of office.

SEC. 2. All statutory provisions inconsistent with the foregoing are hereby repealed.

Repealing
clause.

Approved May 27, 1901.

[No. 450.]

AN ACT to amend section one of chapter two, section three of chapter three, and sections two, six and thirty-five of chapter seventeen of act number three hundred ninety of the local acts of eighteen hundred eighty-five, and the amendments thereto, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeen, eighteen hundred eighty-five.

The People of the State of Michigan enact:

SECTION 1. That section one of chapter two, section three of chapter three, and sections two, six and thirty-five of chapter seventeen of act number three hundred ninety of the local acts of eighteen hundred eighty-five, and the amendments thereto, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeen, eighteen hundred eighty-five, be and the same is hereby amended so as to read as follows:

Sections
amended.

CHAPTER II.

Election of officers.	<p>SECTION 1. The following officers of the corporation shall be elected on the city ticket at every general biennial election in said city, by the qualified voters thereof, to-wit: A mayor, a city clerk, a city treasurer and one member of the board of estimates, who shall hold their respective offices for the term of two years, and until their successors are elected and qualified. In each ward there shall be elected at every general biennial election in said city, by the qualified voters thereof, one alderman for the term of four years; one member of the board of estimates and one constable for the term of two years each: Provided, That when it becomes necessary, by reason of change of boundary of any ward to elect two aldermen, one shall be elected for two years and one for four years. The aldermen of said city shall receive, to be paid out of the city treasury, a compensation of five dollars for each and every regular meeting actually attended by them; it shall be the duty of the city clerk to file with the controller of said city, on the morning succeeding each regular meeting of the common council a statement, showing the names of the aldermen attending such meeting. The office of supervisor, as heretofore existing, under the provisions of this charter, is hereby abolished. The aldermen of the several wards of the city whose terms shall soonest expire, and the mayor and city attorney of said city shall, in addition to other offices already authorized under said charter, represent said city, and the several wards thereof, upon the board of supervisors, and shall perform all the duties pertaining to the supervisors of townships, not inconsistent with the terms of this charter, and they are hereby vested with all the powers and duties of the supervisor as members of said board and shall attend all sessions thereof.</p>
Proviso as to aldermen.	
Compensation.	
Supervisor.	
Who to represent city on board of supervisors.	

CHAPTER III.

When election held.	<p>SEC. 3. The city election shall be held on the first Tuesday after the first Monday in November; at each biennial election, and all officers except those elected to fill vacancies shall assume the duties of the office to which he (or they) is (or are) elected on the first Monday in January following except the city treasurer who shall assume the duties of his office on the first day of May following: Provided, That the present aldermen now elected and holding office, whose term of office would, under the present charter, expire on the first Monday in January, nineteen hundred three, shall expire on the first Monday in January, nineteen hundred five: And provided, That the present mayor, city clerk and member of the board of estimates at large and the present alderman, member of the board of estimates and constables of the sev-</p>
Proviso as to expiration of term.	
Proviso.	

eral wards whose term of office would, under the present charter, expire on the first Monday in January, nineteen hundred two, shall expire on the first Monday in January, nineteen hundred three: Provided further, That the present city treasurer, whose term of office would, under the present charter, expire on the first Monday in April, nineteen hundred two, shall expire on the first day of May, nineteen hundred three. Each ward shall be an election district and such election shall be held at such places in each ward as the common council shall designate; each elector shall vote in the ward in which he resides and the residence of an elector under this act shall be in the ward in which he lodges: Provided, That the common council shall have the power to designate and define the boundaries of two election districts in any of the wards in said city if the number of votes in such ward exceed four hundred; that such number to be determined by the number of votes cast at the last preceding election. In case of two election districts being established in any of the wards of said city, it shall be the duty of the common council to appoint the necessary boards of registration and boards of election inspectors and provide for the holding of election in such district.

Further
proviso.

Election
district.

Proviso.

Duty of
council
in case of
division of
wards.

CHAPTER XVII.

SEC. 2. When a petition shall be presented to the common council asking for the sprinkling, with water, of any street or highway within the city of Port Huron, or for the grading, curbing, paving, graveling, claying, planking or macadamizing of any street, lane, highway, alley or avenue in said city or for improving the same by a combination of any such methods or for repairing to such an extent that a special assessment may be made therefor for the construction of any drain or sewer the same shall be referred to the superintendent of public works as provided in the chapter of this act relating to the superintendent, and on the coming in of his report the common council shall determine by resolution as to the necessity of doing such work or making such improvement, (a two-thirds vote of the aldermen elect being necessary to determine in favor of the same) and if they determine in favor of the same or any part thereof, they shall fix the limits of a special assessment district, which in case of sprinkling with water of any street or highway within said city, or grading, curbing, paving, graveling, claying, planking or macadamizing, or by improving by a combination of any of such methods shall include the lots and premises fronting, touching or abutting on such street, lane, alley, highway or avenue so proposed to be improved and in case of drains or sewers shall include such lots, blocks or premises lying contiguous to each other as will in the

Petition for
sprinkling,
etc., to whom
referred.

Who deter-
mine necessity
for.

Two-thirds
vote.

Special
assessment
district.

Superintendent to advertise.	opinion of the council be benefited by such drain or sewer; and the council may revise, correct, amend or change the plans or specifications and upon their being finally approved and adopted the council shall direct the superintendent of public works to advertise in such manner as they may direct for proposals for doing such work and furnishing material therefor according to such plans and specifications, but no bid shall be received unless accompanied by a certified check in such amount as the common council may require.
Assessment roll, how divided and collected.	SEC. 6. After the completion of such roll the city engineer shall add thereto four columns which shall be respectively designated as part one, part two, part three and part four. He shall then carry out opposite each description of land in each of the columns herein designated one-fourth of the total assessment against such description of land, and said parts two, three and four shall not be collected until the expiration of one, two and three years respectively from the confirmation of such assessment roll but interest shall be paid by the owner or occupant of the property assessed upon such parts at the rate of five per cent per annum, payable annually: Provided, That any person may pay any part or the whole of the assessment made against any of the property owned or occupied by or assessed to such person previous to the time when such parts can be collected: Provided, That the common council shall have the power to cause to be added to such roll, not more than eight columns, and it shall be the duty of the city engineer to add to such roll as many columns in excess of four and not exceeding in all eight as he shall be directed so to do by the common council. He shall in such event, carry out opposite each description of land in each of the said columns herein designated an amount equal to the total amount assessed against such description of land divided by the total number of columns added to such roll. Part one of this roll shall be payable immediately after the confirmation of the same as herein provided and part two of said roll shall not be collected until the expiration of one year from the confirmation of such roll and one of each succeeding parts shall be payable annually; interest shall be paid by the owner or occupant of the property assessed upon all parts at the rate of five per cent per annum, payable annually: Provided, That any person may pay any part or the whole of the assessment made against any of the property owned or occupied by or assessed to such person, previous to the time when such parts can be collected.
Interest.	
Proviso.	
Proviso.	
Assessment, when payable.	
Proviso.	
Repaving fund.	SEC. 35. The common council shall, with the approval of the board of estimates, have power to provide for the repaving fund by borrowing upon the faith and credit of the city, and upon the best terms that can be made, such sums of money as shall be deemed necessary and expedient and to issue the bonds of said city therefor: Provided, That the cost of repaving done in any one year shall not exceed the
Proviso.	

sum of fifty thousand dollars, and that there shall not be outstanding at any one time repaving bonds to exceed the sum of one hundred thousand dollars.

SEC. 2. All acts or parts of acts inconsistent herewith except as herein otherwise provided are hereby repealed. Repealing clause.

This act is ordered to take immediate effect.

Approved May 28, 1901.

[No. 451.]

AN ACT to amend section five of act number three hundred seventy-nine of the local acts of eighteen hundred ninety-one, entitled "An act to provide for the compensation and to prescribe the duties of certain officers of the county of Kent."

The People of the State of Michigan enact:

SECTION 1. That section five of act number three hundred seventy-nine of the local acts of eighteen hundred ninety-one, entitled "An act to provide for the compensation and to prescribe the duties of certain officers of the county of Kent," be and the same is hereby amended so as to read as follows: Section amended.

SEC. 5. No person hereafter elected to the office of county clerk, register of deeds and county treasurer in the county of Kent, shall enter upon the discharge of his duties until he has executed a bond pursuant to the foregoing section. In addition to the powers now vested by law in said board of supervisors they shall have power: Certain officers to execute bond.

First. To prescribe the number of deputies or clerks to be employed in the said offices and fix the compensation to be paid them, which number and compensation shall be sufficient for the proper transaction of the business of such offices. The principal deputy of the county treasurer and of the county clerk and the deputy register of deeds shall receive a salary of not less than one thousand dollars nor more than fifteen hundred dollars per annum. Such deputies and clerks shall be appointed by the said treasurer, county clerk and register of deeds respectively; Additional powers of board of supervisors. Idem.

Second. To designate a bank or other depository for the care and custody of the county moneys and funds, the same to be designated in the month of January, in each year, on a notice to be published daily for one week in a daily paper published in the city of Grand Rapids, setting forth that said county moneys will be let out to the bank or depository paying the highest rate of interest on weekly balances: Provided, That said depository or bank shall give a bond to the board of supervisors of Kent county, with sufficient sureties Idem.

to be approved by said board, and in such amount as the board may direct conditioned for the faithful care and custody of the moneys so deposited with said bank or depository;

Idem.

Third. To prescribe and direct that all moneys of said county of Kent shall be paid out only on the order of the chairman of the board of supervisors of said county, countersigned by the clerk of said board.

Approved May 28, 1901.

[No. 452.]

AN ACT to amend chapter two by adding two new sections thereto; to amend section four of chapter thirteen; to amend section twelve of chapter twenty; and to amend section one of chapter thirty, of act number four hundred thirty of the local acts of eighteen hundred ninety-nine, entitled "An act to amend and revise the charter of the city of Battle Creek," approved June first, eighteen hundred ninety-nine.

The People of the State of Michigan enact:

Act amended. SECTION 1. That act number four hundred thirty of the local acts of eighteen hundred ninety-nine, entitled "An act to amend and revise the charter of the city of Battle Creek," approved June first, eighteen hundred ninety-nine, be and the same is hereby amended by adding two new sections to chapter two, to stand as sections two and three; by amending section four of chapter thirteen; by amending section twelve of chapter twenty; and be amending section one of chapter thirty; so that said added sections, and said amended sections of said chapters shall read as follows:

CHAPTER II.

Petition to
re-district,
etc.

To be sub-
mitted to
electors.

SEC. 2. Upon a petition signed by three hundred freeholders of the city praying to re-district the city into wards; divide any ward or change the boundaries thereof; establish new wards or increase the number of wards of the city not exceeding six in number within the limits prescribed in chapter one of this act, presented to them, the common council may by two-thirds vote of all the aldermen elect of the city adopt a resolution submitting the proposition to re-district the city into wards, divide any ward, or change the boundaries thereof, establish new wards, or increase the number of wards of the city not exceeding six in number, as the case

may be, to the electors of the city at the next regular city election, or at a special election duly called for that purpose. Such resolution shall distinctly set forth the proposition to be voted upon, and shall fix the time when the same shall take effect, and the proceedings relative thereto shall be entered at length in the records of the common council. The proposition to be submitted by said resolution shall be published once in each week for four successive weeks immediately preceding the election in one or more newspapers published and circulated in the city, to be designated by the common council, and notice that such proposition will be submitted to the electors of the city shall also be given in the same manner, and for the same length of time as is provided in this act for giving notice of general city elections, and the votes shall be counted and canvassed and the returns shall be made, and the result declared and determined in the same manner as is provided in this act for the counting, canvassing, returning and determining of results of general city elections. If a majority of all the votes cast at said election are in favor of the proposition as submitted, the common council shall so declare and the same shall go into effect at the time indicated in said proposition. The ballots used in such election shall contain the instructions required by the general election laws of the State, and the proposition to be submitted shall be substantially in the following form: "For re-districting the city into wards, Yes. ()" "For re-districting the city into wards, No. ()" or as the case may be.

Sec. 3. When, by the creation of a new ward where two aldermen are to be elected therein at the same time, one of them shall be elected for one year and one for two years, and the term of each shall be designated on the ballot.

Resolution,
what to set
forth.

To be
published.

Canvass of
votes.

Majority.

Ballots, form
of, etc.

Aldermen of
new ward,
term of offices.

CHAPTER XIII.

Sec. 4. To meet the expenses and costs of the construction of sewers in said city in anticipation of collections of assessments and taxes to defray the expenses and cost thereof, the common council may, by resolution, authorize and direct the mayor and recorder of said city to borrow a sum not exceeding fifteen thousand dollars, in any one calendar year, for such purpose, and to issue the bonds or other obligations of said city therefor, bearing interest at a rate not exceeding five per cent per annum, payable semi-annually: Provided, That the total amount of sewer bonds or other obligations for sewers which the common council is hereby authorized to issue, shall not exceed the sum of one hundred fifty thousand dollars outstanding at any one time.

Construction
of sewers,
may borrow
money for.

Proviso as to
amount.

CHAPTER XX.

When property owners to make sewer connections.	<p>SEC. 12. Whenever the common council shall determine and declare that any paving, repaving or macadamizing is necessary and is contemplated upon any street, alley or public highway in the city, it shall be the duty of every person owning any lot or lots, lands or premises, adjoining to or abutting upon such street, alley or highway upon twenty days' notice in writing from the common council to put in such sewer connections in front of such lands and premises as may be required by the board of public works, and to carry the same from the pipes in such street to and beyond the curb line of such proposed pavement, or to the property line if so required. It shall also be the duty of gas, telephone, telegraph, street railway and electric light companies or other corporations having or being required to have pipes, conduits, and similar underground means of conducting or facilitating their business, upon notice as is required above, to construct in said street, alley or highway such proper main pipes and conduits and connections to the same, as shall be deemed necessary by the common council. The service of such notice shall be as follows: If upon a resident of said city, by handing the same personally to the owner of the premises, or by leaving the same at his or her residence in said city, with some person of suitable age and discretion; if upon a non-resident of said city, by leaving the same with the resident agent of such owner, or at the residence of such resident agent, with some person of suitable age and discretion; and if such non-resident shall not be found within said city, or shall have no agent in said city, or if the agent be not known, such service shall be made by posting such notice in some conspicuous place in the office of the recorder of said city; said notice may be served upon any corporation operating in said city by delivering the same to any president, secretary, treasurer, superintendent, manager or principal agent within said city. All such sewer and other pipes and conduits for use in connection with private premises shall be constructed from the main pipe or conduit to and beyond the curb line of such proposed pavement, or to the property line if so required by the said common council. All such connections shall be constructed in such places, in the manner and at such time or times as shall be directed by the common council, and as shall be deemed by said common council, as necessary or proper for the preservation of such proposed paving, repaving or macadamizing of the adjacent sidewalks. In case the owner of such lot or lots, lands or premises, or such corporations shall neglect or refuse to construct such mains and connections at the time and in the manner prescribed by the common council, the common council shall cause the same to be constructed, and the respective owner of such lots, lands and premises or such corporations shall be liable for the</p>	
Duties of telephone, etc., companies.		
Notice, how served on resident.		
Non-resident.		
Corporation.		
Refusal to construct drain.		

full cost thereof, together with eight per cent in addition thereto as a penalty, and seven per cent per annum interest from the date of the confirmation of the assessment therefor: Penalty.

Provided, The penalty above provided for, may by the common council be increased at any time by resolution to an amount not to exceed twenty-five per cent. The said cost of the construction together with the penalty and interest may be recovered by the city in an action of assumpsit or debt. Proviso as to recovery by assumpsit.

The common council shall cause the amount of the cost of such construction, together with the amount of such penalty, for which such persons or companies shall be respectively liable, to be reported to the assessors of the city to be levied and assessed by them under the direction of said common council, as a special assessment or tax upon such lot or lots, lands or premises, and the assessors of said city shall thereupon make and return an assessment therefor to the said common council duly certified and signed by the officers making the same, and thereupon said assessment shall be certified under seal by the recorder of said city, and reported to the common council of said city at its next meeting. Amount of cost and penalty to be levied on property.

The common council shall thereupon give notice to all persons so assessed, either by personal notice or by notice served as above provided in this section, or by advertising in some newspaper in said city, of the time when and the place where the said common council will hear appeals from the said assessment; in the same manner as is provided in section five of this chapter for paving assessments; and the same proceedings shall be taken thereafter in reference to said assessment, and with like effect as are provided for in sections six, seven, eight, nine, ten and eleven of this chapter. Council to notify persons assessed.

The common council may by ordinance provide such further reasonable penalties and forfeitures as it may determine, to enforce the provisions of this section, and to punish violations thereof. Further penalties.

CHAPTER XXX.

SECTION 1. The common council shall have and are hereby vested with full, ample and complete authority whenever they shall deem it necessary and for the best interests of the city, to issue the bonds of said city, in such form, payable at such time or times, and at such rate of interest not exceeding five per cent per annum as they shall determine, for the purpose of funding or paying any indebtedness of said city or to provide for the construction of waterworks, or sewers, or the introduction of water in said city, or for the extension of waterworks or sewers, for the construction or purchase of an electric plant or works, or a gas plant or works, for lighting the streets, public buildings or grounds, or for commercial purposes, or for conduits, or for public buildings or parks, or for bridges, or for paving or repaving the streets of said

Council may issue bonds for improvements.

Proviso.	city, but for no other purpose whatever: Provided, No bonds shall be issued to provide for the construction of waterworks or introduction of water in said city or for the extension of waterworks or to provide for an electric light plant or works or for a gas plant or works, or for conduits, or for public buildings or parks, or for bridges, or for paving or repaving streets until a majority of all the electors voting upon said question shall have voted in favor of making such improvements, either at any charter election, or at a special election called for that purpose, at such a time and in such a manner as the common council shall specify. The issuing of bonds, authorized under chapter thirteen of this act, need not be submitted to the electors of said city: And provided further,
Submitted to electors.	That no more than seventy-five thousand dollars of such paving bonds shall be outstanding at any one time: And provided further, That no more than twenty-five thousand dollars of such bridge bonds shall be outstanding at any one time: And provided further, That the entire indebtedness of the city of all kinds, shall at no time be permitted to exceed the amount of five per cent of the assessed valuation of said city, as the same shall then stand equalized by the board of supervisors of Calhoun county; and neither the electors nor the common council of said city shall have any authority to in any manner, either by bonds or otherwise, increase the amount of indebtedness of said city above that amount.
Proviso as to amount of paving bonds.	
Proviso as to bridge.	
Proviso as to total indebtedness.	
	This act is ordered to take immediate effect.
	Approved May 28, 1901.

[No. 453.]

AN ACT to amend section ten of title three of act number three hundred seventy-four of the local acts of eighteen hundred ninety-seven, entitled "An act to revise the charter of the city of Grand Rapids," by adding a new subdivision thereto to be known as subdivision fifty-eight.

The People of the State of Michigan enact:

Section amended.	SECTION 1. That section ten of title three of act number three hundred seventy-four of the local acts of eighteen hundred ninety-seven, entitled "An act to revise the charter of the city of Grand Rapids," be and the same hereby is amended by adding thereto a new subdivision to be known as subdivision fifty-eight, said section ten as amended to read as follows:
Additional powers of council.	SEC. 10. The common council, in addition to the powers and duties specially conferred upon it in this act, shall have the management and control of the finances, rights and in-

terests, buildings and all property, real and personal, belonging to the city, and may make such orders and by-laws relating to the same as they shall deem proper and necessary; and further, it shall have power, within said city, to enact, make, continue, establish, modify, amend and repeal such ordinances, by-laws and regulations as it deems desirable, within said city, for the following purposes:

First. To prevent vice and immorality, to preserve public peace and good order, and to prevent and quell riots, disturbances, and disorderly assemblages; Vice, riots, etc.

Second. To restrain and prevent disorderly and gaming houses, to destroy all instruments and devices used for gaming, and to prohibit all gaming and fraudulent devices and to regulate or restrain billiard tables and bowling alleys; Disorderly houses.

Third. To restrain, license and regulate saloons or other places where intoxicating or spirituous liquors, or malt, brewed or fermented liquors are sold, or to be sold, and to regulate and prescribe the location thereof; to forbid and prevent the vending or other disposition of any intoxicating liquors in violation of the laws of the State. No person shall engage in the business of selling intoxicating or spirituous liquors, or malt, brewed or fermented liquors as aforesaid, until he has first obtained a license therefor by a vote of two-thirds of all the aldermen elect of the common council: Provided, That no license shall be issued to any person for the sale of any such liquors as aforesaid, until he shall have first paid the State tax for the sale of the same; Saloons.
Proviso as to license.

Fourth. To prohibit, restrain, or regulate all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses, or other public performances, and other exhibitions for money; Sports, exhibitions, etc.

Fifth. To abate or remove all nuisances of every kind, and to compel the abatement and removal of the same; to order and compel the owner or occupant of any grocery, tallow chandler's shop, butcher's stall or shop, soap factory, tannery, stable, privy, water closet, hog-pen, sewer or other nauseous or unwholesome house or place to cleanse, remove or abate the same from time to time, as often as the common council may deem necessary. To direct the location of all slaughter houses, rendering places, markets and market places. To prohibit any person from bringing or depositing any dead carcass or any other unwholesome or nauseous substance within the corporate limits of the city; and if any person shall have on any premises, owned or occupied by him, within such limits, any such substances, or any putrid meat, fish, hides or skins of any kind, which are unwholesome, nauseous or offensive, to order and compel the removal thereof, and in case of neglect or refusal of the owner or occupant of such premises to remove or abate the same, to authorize the removal, abatement or destruction thereof by some proper officer of the city. All for the health, comfort, safety and convenience of said city; To abate nuisances.
Removal of carcasses, etc.
Refusal.

Cumbering of streets, etc.	Sixth. To prevent the cumbering of streets, highways, crosswalks, lanes, alleys, courts, public grounds or public places, bridges, aqueducts, wharves or slips in any manner whatever;
Fast driving, etc.	Seventh. To require any horse, or other animal attached to any vehicle, or standing in any of the streets, lanes, alleys, highways, courts, or public places or public grounds of said city, to be securely fastened, watched or held, and to secure the proper driving of the same through such streets, lanes, alleys, courts, public grounds or public places; to prevent horse racing and immoderate riding or driving in any such streets, lanes, alleys, courts, public grounds or public places; to authorize the stopping and detaining of any person violating any of the provisions of this subdivision, and to provide for the punishment of any such person;
Routes, grades, etc., of railroads.	Eighth. To determine and designate the route and grades of any railroad to be laid in said city; and to restrain and regulate the use of locomotives, engines and cars upon railroads within the city; and to compel the owners and managers of such railroads to station flag-men at street crossings, and to make such other rules and regulations concerning such railroads as to secure the safety of the citizens of said city;
Salubrity of Grand river.	Ninth. To preserve the salubrity of the waters of Grand river, or other public waters or streams within the corporate limits of said city; to provide for the cleaning of said river of driftwood and other obstructions; to regulate or prohibit bathing in said river, or any such water or streams; and to fill up all low ground or lots covered, or partially covered with water, or to drain the same, as the common council may deem expedient;
Drunkards, vagrants, etc.	Tenth. To restrain drunkards, vagrants, mendicants and street beggars from soliciting alms, and to punish them for so doing;
Pounds.	Eleventh. To establish and regulate one or more pounds, and to restrain and regulate the running at large of horses, cattle, swine and other animals, geese and poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the cost of keeping and impounding;
Dogs.	Twelfth. To regulate and prevent the running at large of dogs, to prevent dog fights in the streets, and to provide for the destruction of dangerous and vicious dogs; to require the payment of a license by the owner or persons having possession of dogs, and to provide for the imposing of a fine upon such persons for refusing to pay such license;
Clearing of sidewalks.	Thirteenth. To compel all persons to keep the sidewalks in front of premises owned or occupied by them clear from dirt, wood or obstructions, and to compel every owner or occupant of any house or building and every owner or agent of any lot in the city of Grand Rapids, to keep said sidewalks free and clear from snow or ice and not to permit such snow or ice to remain thereon;

Fourteenth. To regulate the ringing of bells, and the cry- Noises.
ing of goods and other commodities for sale at auction or
otherwise, and to prevent disturbing noises in the streets;

Fifteenth. To regulate and establish the line upon which Building
limits.
buildings may be erected upon any street, lane or alley in
said city, and to prevent such buildings being erected nearer
the street than such line, and to impose a fine upon any owner
or builder violating this provision, not to exceed five hundred
dollars;

Sixteenth. To provide for the preservation of the general Preservation
of general
health.
health of the inhabitants of said city; to make regulations
to secure the same; to prevent the introduction or spreading
of contagious or infectious diseases; to prevent and suppress
diseases generally; to establish a board of health and to pre-
scribe and regulate its powers and duties, subject to the pro-
visions of this act; to regulate the burial of the dead, and
to compel the return of births and deaths to be made to such
board of health, and the return of all burial permits to said Regulate
burials.
board; to provide for a complete record of all births, deaths
and interments, to be kept in the office of said board of
health;

Seventeenth. To establish and regulate the markets and Establish
market
places.
market places of said city; to regulate the vending of hay,
straw, fodder and other food of animals; to regulate the
vending of meats, poultry, vegetables, fruits, fish, flour, meal,
salt, milk, and all other food or food products, and all
kinds of groceries and provisions, sold at wholesale
or retail, in packages or otherwise, and to prescribe the
time, manner and place for selling the same. To prohibit, Unwholesome
meats, etc.
prevent and suppress the sale of every kind of nauseous,
unsound or unwholesome meat, poultry, vegetables, fruits,
fish, flour, meal, salt, milk and all other food or food pro-
ducts, and all kinds of provisions sold by wholesale or retail;
to punish all persons who shall sell the same or offer or keep
the same for sale. To compel all persons selling milk, or Milk.
keeping the same for sale, in said city, to procure a license
therefor, and to be properly registered. To direct and regu-
late the inspecting and weighing of all meat, poultry, veg-
etables, fruit, fish, flour, meal, salt, milk and all food or
food products, and all kinds of groceries and provisions sold
at wholesale or retail, in packages or otherwise. To direct
and regulate the measuring, gauging or weighing of all
groceries, food and food products, liquid or solid, sold by
measure, at wholesale or retail, in packages or otherwise. To To regulate
weights and
measures.
regulate the weights and measures to be used in said city,
and to compel every merchant, retailer, trader and dealer
in merchandise, groceries, provisions, or articles of every
description which are sold by measure or weight, to use
weights and measures to be sealed by the city sealer, and
to be subject to his inspection and alteration, so as to be
made conformable to the standard of weights and measures

Inspecting of lumber, fodder, etc.	established by the general laws of the State. To direct and regulate the inspecting and measuring of wood, lumber, shingles, timber, posts, stone, heading and all building material; the inspecting, weighing and measuring of coke and all kinds of coal, and the inspecting of hay, straw, fodder and other food products for animals. To provide for the appointment of one or more inspectors, measurers, weighers, and gaugers of all products to be inspected, measured, weighed or gauged, and to prescribe and regulate their powers and duties, and to fix their compensation. To punish any person who shall violate any ordinance or other measure or regulation passed by it, in pursuance of the provisions of this subdivision. To impose a reasonable license fee upon
Proviso.	the persons engaged in such respective business: Provided, That nothing herein contained shall authorize the common council to restrain in any way or license the sale of fresh [and] or wholesome meat by the quarter, within the corporate limits of said city; nor to prohibit any farmer selling without a license the products of his own farm, within said corporate limits. Nothing herein contained shall be construed to authorize the inspection, weighing, measuring or gauging of any article or product which is to be shipped beyond the limits of this State, except at the request of the owner thereof, or of the agent having charge of the same;
Undertakers, sextons, etc.	Eighteenth. To pass all needful ordinances and regulations governing sextons and undertakers for burying the dead, and scavengers and chimney sweeps, and regulating their compensation, and the fees to be paid by them for licenses;
Lighting of public places.	Nineteenth. To provide for and regulate the lighting of streets, highways, alleys, lanes, courts, public places and public grounds and public buildings in the city, and to enter into contracts in relation to the same, provided that no such contract shall extend beyond a period of three years at any one time; to provide for the protection of public lamps and other lighting apparatus of the city, and to employ a suitable person or persons to superintend the same, and to prescribe the duties of such superintendent, and fix the compensation therefor;
Punish vagrants, etc.	Twentieth. To provide for the punishment of vagrants and all persons drunk or disorderly on the streets or public places of the city;
Prescribe duties of officers.	Twenty-first. To prescribe the duties of all officers appointed by the common council, and their compensation, and the penalty or penalties for failing to perform such duties, and to prescribe the bonds and sureties to be given by the officers of said city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided for by law;
Appointment, removal, etc., of officers.	Twenty-second. To provide for and regulate the election and appointment of all officers, and for their removal from office, and for the filling of vacancies, subject to this act;

Twenty-third. To authorize and regulate the demand and receipt by officers, of such fees and costs, and in such cases as the common council may deem reasonable; **Fees.**

Twenty-fourth. To provide for public parks and squares, make, grade, improve and adorn the same, and all grounds in said city belonging to, or under the control of the corporation, and to control and regulate the same, consistently with the purposes and objects thereof; **Public parks.**

Twenty-fifth. To sell or otherwise provide for the disposal of all dirt, filth, manure, cleanings and all other substances, lying in or gathered from the highways, streets, avenues, lanes, courts, alleys and public places and public grounds, to be disposed of by the city of Grand Rapids; to sell or otherwise dispose of all earth to be removed from such highways, streets, avenues, lanes, courts, alleys, public places and public grounds of said city in grading, paving or otherwise improving the same; **Garbage.**

Twenty-sixth. To provide for and regulate the cleaning of the highways, streets, avenues, lanes, alleys, courts, public places and public grounds, crosswalks and sidewalks in the city; to remove any obstructions therefrom; to prohibit and prevent the exhibition of signs on canvass or otherwise, in and upon any vehicle, standing or moving upon the streets of the city; to control, prescribe and regulate the mode of constructing and suspending awnings, and the suspension of signs thereon; to control, prescribe and regulate the manner in which the highways, streets, avenues, lanes, alleys, courts, public grounds and public places within said city shall be used, and to provide for the preservation of and the prevention of injury to the gutters, street, lawns and parks, in said highways, streets, lanes, alleys, courts, public places and public grounds; **Cleaning of streets, etc.**

Twenty-seventh. To prohibit all practices, amusements and doings in said street, having a tendency to frighten teams and horses, or dangerous to life and property, and to punish persons indulging therein; to remove or cause to be removed therefrom, all walls and structures that may be liable to fall therein, and in thus falling endanger life or property, or cause bodily harm; and to provide for and regulate the erection and use of suitable lighting posts and blocks in the city; **Signs.** **Awnings.** **Prevent frightening of horses.** **Dangerous structures.**

Twenty-eighth. To prohibit and prevent any riot, rout, disorderly noise, disturbance, or assemblage in the streets or elsewhere in the city and to preserve quiet and order therein at all times; **Riots, etc.**

Twenty-ninth. To prohibit or prevent in the streets or elsewhere in said city, indecent exposure of the person, the show, sale or exhibition for sale, of indecent or obscene pictures, drawings, engravings, paintings and books, and all indecent or obscene exhibitions or shows of any kind; **Obscene pictures, etc.**

Thirtieth. To establish, construct, maintain, repair, enlarge and discontinue within the highways, streets, avenues, lanes, alleys and public places of said city such bridges, **Sewerage.**

culverts, sewers, drains, and lateral drains and sewers, as the common council may see fit, with a view to the proper draining and sewerage of said city; to compel the owners or occupants of all occupied lots, premises and sub-divisions thereof within said city, to construct private drains and sewers therefrom to connect with some public sewer or drain; said private drains and sewers shall be constructed in such manner and of such form and dimensions and under such regulations as the board of public works may prescribe;

Assessment
for sewers.

Thirty-first. To assess, levy and collect an annual assessment or tax on the real and personal property of said city, for the purpose of cleansing and keeping in repair the public sewers of said city;

Boundaries.

Thirty-second. To survey and establish the boundaries of the city and all highways, streets, avenues, lanes, alleys, courts, public parks, squares, public grounds, and public places; to prohibit and remove all incumbrances and encroachments on the same by buildings, fences, or in any other manner; to prohibit the use of barbed wire for fences on street lines, and to regulate its use in other places in said city; to number buildings, the expense of such numbering to be assessed against and collected out of the owner thereof; to regulate the planting, preservation and removal of shade, ornamental or other trees in the public streets, avenues, courts, public grounds and public places, and the trimming and care thereof, and the trimming and care of trees adjoining thereto, in such manner as not to interfere with public travel or obscure public lights thereon, and to require the same to be done at the expense of the owner of the premises adjoining the same; and if such owner shall refuse or neglect, after reasonable notice so to do, to conform to such regulations, to cause such regulations to be carried out and enforced at the expense of the city, and to be assessed upon and to become a lien upon such adjoining premises until paid, and collected in the manner and in accordance with sections nineteen, twenty and twenty-one of title V of this act, for the assessment of the expense of constructing and repairing sidewalks;

Planting,
etc., of shade
trees.

Refusal.

Plumbing,
draining, etc.

Thirty-third. To regulate plumbing, house draining and ventilation, to appoint an inspector of plumbing, and to regulate his duties and provide for his compensation; to direct and regulate the location, construction and alteration of all cellars, slips, barns, private drains, cesspools, sinks, privies, and water closets; to compel all owners or occupants of houses or premises to fill up, drain, cleanse, alter, relay or repair the same, and to compel the owners or occupants of houses or premises having water closets attached thereto to use the water from the water mains of the city in order to properly cleanse the same; to compel the owners or occupants of houses or premises to repair or renew all defective, broken or worn out plumbing, and to provide sufficient and proper ventilation and plumbing in and around their build-

ings and premises, or cause the same to be done by some proper person designated in the ordinance governing the same, and assess the expense thereof on the lot, building and premises having such cellar, slip, barn, private drain, cess-pool, sink, privy or water closet thereon, or having the repairs, renewals and insufficiencies in the drainage, ventilation or plumbing made in the building or on the lot or premises, which assessment shall be a lien on the lot, building and premises and appurtenances thereto, until paid, to be collected in the manner and in accordance with the provisions of sections nineteen, twenty and twenty-one of title V of this act, for the assessment of the expense of constructing and repairing sidewalks; to direct and regulate the construction of lateral sewers or drains for the purpose of effectually draining all lots, cellars, yards, low grounds and sinks within the city, whenever it may be necessary: Provided, That if such lateral sewer or drain be laid or constructed through any of the streets, lanes, alleys, courts, avenues, public grounds or public places adjoining or in front of the premises through which such sewer or drain shall be ordered constructed, the expense thereof shall be assessed on such lots and premises benefited thereby, which assessment shall be a lien upon such lots and premises until paid, and shall be collected in the same manner as like assessments imposed by the authority of the common council, are collected;

Proviso as to
assessment
for.

Thirty-fourth. To prohibit, prevent and suppress the keeping of houses of ill-fame or assignation, or for the resort of common prostitutes, and disorderly houses or places of all kinds; to restrain, suppress and punish the keepers of all such houses and places as aforesaid; to punish common prostitutes and disorderly persons of all kinds; to prohibit, prevent and suppress mock auctions, and every kind of fraudulent game, device or practice, and to punish all persons managing, using, practicing, or attempting to manage, use or practice the same, and all persons aiding or abetting in the management, use or practice thereof. To prohibit, restrain or prevent persons from gaming for money or other property or thing, with cards, dice, billiards, nine or ten pin alleys, tables, ball alleys, wheels of fortune, boxes, machines or other instruments, or device whatsoever, in any building or place in the city, and to punish the person keeping the building, instrument or means for such gaming, and to compel the destruction thereof. To prevent, prohibit and suppress all lotteries for drawing and disposing of money, or any other property or thing whatever, and to punish all persons maintaining, directing or managing the same, or aiding in the maintenance, direction or management thereof;

Disorderly
houses.

Gambling.

Thirty-fifth. To license and regulate solicitors of guests for hotels, taverns, restaurants, public houses or other public places; to license and regulate solicitors for passengers or baggage for the benefit of any railroad, boat, street car, omni-

Solicitors for
guests, etc.

bus, stage or other public conveyance. To license and regulate draymen, carmen, truckmen, porters, runners, drivers of cabs, hackney coaches, omnibuses, stages, carriages, sleighs, express vehicles, and vehicles of every description used and employed for hire, and to fix and regulate the amount and rate of their compensation. To prescribe and designate the stands, places and locations in the city, within which all such solicitors and persons as aforesaid may operate, and all such conveyances and vehicles as aforesaid may stand; and to prescribe the stands, places and locations in which all wood, hay, straw, produce and all goods, wares and merchandise of whatever nature, exposed for sale in the city, may stand;

Auctions,
peddlers, etc.

Thirty-sixth. To license and regulate auctions and auctioneers, hawkers, peddlers, pawnbrokers, junk dealers, dealers in second hand goods and merchandise, and transient tradesmen—whoever loans money on deposit or pledges of personal property, or who purchases personal property or choses in action, on condition of selling the same back again at a stipulated price, is hereby defined

Employment
agencies.

and declared to be a pawnbroker. To license and regulate employment agencies and [offices] officers, intelligence offices, labor bureaus, and all persons whose business it is to find employment for others for hire or reward, to require references and bonds to be given by every person, company, corporation or association engaging in such business, before the same shall be licensed, in order that the public and persons dealing with such offices and agencies may be protected; to license and regulate bill posting, the putting up of advertising signs or matter, and the distributing of such matter in the city;

Exhibitions by
itinerants.

Thirty-seventh. To prohibit and prevent, or license and regulate public exhibitions, by itinerant persons or companies, of natural or artificial curiosities, caravans, circuses, menageries, theatrical representations, concerts, musical entertainments, exhibitions of common showmen and shows of any kind;

Eating
houses.

Thirty-eighth. To license and regulate the keepers of hotels, taverns and other public houses, keepers of ordinaries, saloons and victualing houses or places for furnishing meals or food;

Hucksters,
etc.

Thirty-ninth. To license and regulate butchers, to license and regulate or suppress hucksters, and to license and regulate the keepers of shops, stalls, booths or stands at markets or any other place in said city for the sale of any kind of meat, fish, poultry, vegetables, food or provisions;

Billiard tables.

Fortieth. To tax and regulate keepers of billiard tables, pin alleys, nine or ten pin alleys, but not for the purpose of gaming;

Paupers.

Forty-first. To provide for the protection and care of paupers, and to prohibit and prevent all persons from bringing in cars or any other mode to said city, from any other place,

any pauper or other person likely to become a charge upon said city, and to punish therefor;

Forty-second. To provide for the burial of indigent strangers who may have died within the city, and for the burial of poor deceased persons who, before their deaths, resided in the city; Burial of poor.

Forty-third. To erect and provide for the erection of a city hall and all needful buildings and offices for the use of the corporation, or of its officers, and to control and regulate the same; City hall.

Forty-fourth. To establish, organize and maintain an almshouse department, and to purchase the necessary grounds, erect and provide for the erection of the necessary buildings therefor, either within or without the city limits, and to appoint the necessary officers therefor and provide for the government thereof; Poor house.

Forty-fifth. To establish and build jails, workhouses and houses of correction for the confinement of offenders; to erect and provide for the erection of the necessary buildings therefor, and control and regulate the same; to appoint all necessary officers for taking charge of the same, and of persons confined therein; to prescribe their powers and duties and provide for their removal from office, and the filling of vacancies; Jails, etc. Appointment of officers.

Forty-sixth. To provide for the imprisonment and confinement in said jails, workhouses and houses of correction, or in the common jail of the county of Kent, at hard labor, or otherwise, all persons liable to be by law imprisoned under this act, or under any ordinance of said common council, whenever convicted of a violation thereof, by any court having jurisdiction of the same; Imprisonment of offenders.

Forty-seventh. To prescribe and regulate the speed of cars and engines on railroads within the limits of said city, and to prohibit railroad cars from standing across or otherwise obstructing the streets thereof; Speed of cars.

Forty-eighth. To authorize the granting, issuing and revoking of licenses in all cases where licenses may be granted and issued under this act and the ordinances and regulations of the common council; to direct the manner of issuing and registering the same, and by what officer they may be issued or revoked and to prescribe the sum of money to be paid therefor into the city treasury. No license shall be granted for more than one year and the person receiving the same shall, before the issuance thereof, execute a bond to the city in such penal sum as the common council may prescribe, with one or more sufficient sureties, conditioned for the faithful observance of this act, and the ordinances and regulations of the common council, and otherwise conditioned as the common council may prescribe. The officer authorized to issue said license may inquire into the sufficiency of the sureties on such bonds, by an examination under oath or otherwise, Issuing, etc., of licenses.

	as to their property and responsibility, which oath may be administered by such officer;
Corporation taxes.	Forty-ninth. To assess, levy and collect taxes for the purpose of the corporation upon all property made taxable by law for State purposes, which taxes shall be a lien upon the property taxed until paid; and to provide means for carrying into effect the powers herein conferred; to make regulations for assessing, levying and collecting said taxes and to sell the property taxed to pay the taxes thereon;
Payment of expenses.	Fiftieth. To appropriate money, provide for the payment of the debt and expenses of said city, and make regulations concerning the same, subject to the provisions of this act;
Violations of act, punishment for.	Fifty-first. To provide for the punishment of all offenders for violations of, or offenses against this act, or against any ordinance of the common council enacted in pursuance of the powers herein conferred upon it, or in pursuance of any act of the legislature, by holding to bail for good behavior, by imposing fines, penalties, or forfeitures and costs, or by imprisonment in the jail of Kent county at hard labor, or in any city penitentiary, house of correction, jail or workhouse in the city, or in any State house of correction, or the Detroit house of correction, or by both fine and imprisonment in the discretion of the court before whom a conviction may be had. All punishments for offenses against any of the ordinances of the common council shall be prescribed in the ordinance creating or specifying the offense to be punished, and no penalty, fine or forfeiture shall exceed the sum of five hundred dollars, exclusive of costs, and no imprisonment shall exceed the period of one year. If only a fine, penalty or forfeiture with costs, be imposed, the offender may be sentenced until the payment thereof, for a term not exceeding six months;
Employment of prisoners.	Fifty-second. To provide for the employment of all persons confined for the non-payment of any fine, penalty, forfeiture or costs, or for any offense under this act, or any ordinance of the common council, in the common jail of the county of Kent, or in any jail, workhouse, or house of correction in said city, at work or labor, either within or without the same, or upon the streets of said city, or any public work under the control of the common council; to allow any person thus confined for the [non] payment of any fine, penalty, forfeiture or costs, to pay and discharge the same by such work or labor, and to fix the value and rates of such work and labor;
Printing, etc.	Fifty-third. To provide for printing and publishing all matters required to be printed and published under this act, or by order of the common council, in such manner as said council may prescribe;
Census.	Fifty-fourth. To provide for the taking of a census of the inhabitants of said city, whenever the common council may see fit, and to direct and regulate the same;

Fifty-fifth. The common council shall have power by concurrent vote of two-thirds of all the aldermen elect of the common council to purchase and sell real estate for the use of the city for corporate purposes. It shall also have power to purchase, hold and use suitable grounds within or without the corporate limits of the city, for the purpose of establishing and maintaining thereon suitable jails, penitentiaries, houses of correction and workhouses for the confinement of offenders, and may provide for the government of the same and of the persons confined therein;

May purchase,
etc., property.

Fifty-sixth. The common council shall have power to enter into contracts for the depositing of city funds for a period not exceeding three years, and to make contracts for other purposes, wherever authorized to do so by the provisions of this act, but in no instance shall a contract of any nature whatever extend beyond a period of one year from the time of the execution thereof, unless a further time is otherwise provided for in this act;

May contract
for depositing
of funds.

Fifty-seventh. It shall have power to regulate and license telephone companies, telegraph companies, electric lighting companies, gas companies, and to prescribe certain rules for the regulation thereof; it shall have power in granting any franchise whatever to any individual, individuals, corporation, association or company, to reserve the right to impose and collect reasonable annual license fees, levied by any method except a percentage of the grantee's gross receipts, and not exceeding in any year five per cent of such receipts;

To license
telephone,
etc., com-
panies.

Fifty-eighth. The common council shall have power by the concurrent vote of two-thirds of all the aldermen elect of the common council to obtain by purchase or gift and to hold, improve and properly maintain real estate without the corporate limits of the city for park, driveway and boulevard purposes.

How may
hold real
estate.

Approved May 28, 1901.

[No. 454.]

AN ACT to organize the township of Mitchell, in the county of Alcona, into a union school district to be known as the union school district of the township of Mitchell.

The People of the State of Michigan enact:

SECTION 1. That the territory embraced within the township of Mitchell, in the county of Alcona, or which may hereafter be embraced in the township of Mitchell, in the county of Alcona, be and is hereby declared to be a single school district which shall be a body corporate, by the name and

Territory
embraced
in school
district.

Powers, etc.	style of the union school district of the township of Mitchell, and by that name may sue and be sued, and shall be subject to the general laws of this State relative to corporations so far as the same may be applicable. Such district shall have all the powers and privileges conferred upon school districts by the general laws of this State and all general provisions of law relating to the common or primary schools shall apply and be in force in said district, except such as shall be inconsistent with this act. The township board of said township
Board of education.	shall constitute the board of education of said union school district; the supervisor shall be chairman of said board of education, the township clerk shall be the clerk of said board of education and the township treasurer shall be the treasurer of said board of education and shall be the custodian of the funds, but shall not be entitled to any vote upon said board.
Chairman.	Sec. 2. All process shall be served on the chairman of said board in all suits against said district, and said chairman shall have the care and management over the affairs and the property of said school district, who shall receive for his services such sum as the board of education may determine, but not to exceed twenty-five dollars annually. The clerk may receive not to exceed fifteen dollars annually. No other officer or member of said board of education shall receive pay or compensation. In the absence of the chairman at any meeting, a majority of the members may choose one of their number chairman pro tem. and in the absence of the clerk the board may choose some suitable person to perform his duties. Said board shall be governed by the same rules and regulations as govern all meetings of the township board in so far as the same are not inconsistent with the general law governing primary and union school districts, and shall have the power to prescribe rules for its own government and the government of the schools, teachers, students and employees of said district; and shall be vested with all the powers and duties not inconsistent with this act that are, by law, usually conferred upon boards of education or trustees of union or primary school districts.
Clerk.	
Chairman pro tem.	
How board governed.	
Meetings, quorum, etc.	Sec. 3. A majority of the members of said board shall constitute a quorum, and regular meetings of said board shall be on the third Monday of April, August, December and March in each year, and no notice of said meeting shall be required. Any two members of said board shall be sufficient to adjourn any meeting from time to time until a quorum is present. Special meetings of said board may be called at any time upon the request of the chairman or two members of said board in writing delivered to the clerk.
Board to determine amount raised by tax.	Sec. 4. Said board at its regular meeting on the third Monday of August in each year, shall make an estimate of and determine the amount of money deemed necessary to be raised by taxes for the ensuing year for all purposes of expenditure within the powers of said board; which estimate shall specify the amount required for the different objects of expenditure,
What estimate to specify.	

and shall be entered at length on the records of the proceedings of said board, and the clerk of said board shall, within twenty days thereafter, make a written report of the amount of taxes estimated and determined to be necessary and certify the same to the supervisor of the township of Mitchell, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as other township taxes: *Provido.* That no greater sum than one cent on the dollar of all the taxable valuation of the real and personal property of said district shall be levied in any one year.

SEC. 5. The township treasurer shall have the keeping of all school and library money and shall not pay out the same without the authority of the said board upon warrants or orders drawn upon him, signed by the clerk and countersigned by the chairman and designating the fund out of which the same shall be drawn. *Duties of treasurer.*

SEC. 6. Said union school district shall succeed to all the rights, property and effects of the school districts within said township and to any delinquent school taxes which may have heretofore been assessed and now remaining uncollected upon any real or personal property situated within the territory of the township of Mitchell or within any territory which may hereafter be attached to the township of Mitchell. *Union school district to succeed to certain rights.*

This act is ordered to take immediate effect.

Approved May 29, 1901.

[No. 455.]

AN ACT to amend sections one and two of act number three hundred eleven of the local acts of eighteen hundred ninety-five, entitled "An act to incorporate the city of Petoskey, and to repeal all acts and parts of acts relative to the incorporation of the village of Petoskey."

The People of the State of Michigan enact:

SECTION 1. That the following described territory in the county of Emmet and State of Michigan, bounded and described as follows, to wit: Commencing at the northwest corner of the northeast fractional quarter of section one, in township thirty-four north of range six west, and running thence south on the quarter line to the southwest corner of the southeast quarter of said section one, thence east on the section line to the southeast corner of said section one, thence south on section line to the southwest corner of the northwest quarter of the northwest quarter of section seven, in township thirty-four north of range five west, thence east on the eighth line to the southeast corner of the northeast *Boundaries described.*

quarter of the northwest quarter of said section seven, thence south to the southwest corner of the southeast quarter of said section seven, thence east on the quarter line of sections seven and eight, in said sections seven and eight, in said township, to the southeast corner of the southwest quarter of the northeast quarter of said section eight, thence north on the east eighth line of sections eight and five, of said township, and of section thirty-two, in township thirty-five, in township thirty-five north of range five west, to a point within twenty chains and thirty-four links of where said line reaches Little Traverse bay, according to the government survey, thence running south eighty-six degrees and fifty minutes west, two and thirty-seven hundredths chains, thence north three degrees and ten minutes west, eleven and ninety-three hundredths chains, thence north seventy-one degrees and forty-five minutes west, six and seventy-six hundredths chains, more or less, to the shore of Little Traverse bay, thence following low water mark along the shore of said bay southwesterly to the place of beginning, be and the same is incorporated and made, constituted and organized into a city, to be known as the city of Petoskey.

To be divided
into wards.

SEC. 2. The said city of Petoskey shall be divided into four wards, the boundaries of which shall be fixed and determined by the common council of said city, by ordinance; but the boundaries of the wards of said city shall remain as now fixed until so changed by ordinance of said common council. In each of said wards a supervisor shall be elected, who shall be a member of the board of supervisors of the county in which said city is situated, with all the powers of supervisors in the townships in this State.

Supervisors
of.

This act is ordered to take immediate effect.

Approved May 29, 1901.

[No. 456.]

AN ACT to amend section two of an act, entitled "An act to authorize the common council of the city of Alpena to construct or purchase, own and maintain a system of electric light works, and to provide means for constructing or purchasing, maintaining and managing the same," approved May twenty-fifth, eighteen hundred ninety-nine.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section two of an act, entitled "An act to authorize the common council of the city of Alpena to construct or purchase, own and maintain a system of electric light works, and to provide means for constructing or purchasing, maintaining and managing the same," approved May

twenty-fifth, eighteen hundred ninety-nine, be amended to read as follows:

SEC. 2. If such proposition be approved by a majority vote of said electors present and voting at said election, the common council of said city, at any time thereafter, may construct or purchase and own said system of electric light works to be so constructed or acquired, and make such loan, or so much thereof as may be necessary to pay for said electric light works to be so constructed or purchased, and issue the bonds of said city for the payment thereof, with the interest thereon, said bonds to mature within such time as may be fixed by said common council, not exceeding thirty years from the date thereof. Said bonds shall be sold under the direction of the common council, to the person, firm or corporation offering to pay the highest premium for said bonds, so issued. The electric light board created by this act, shall be authorized to furnish and sell arc and incandescent lights for commercial and private use and to fix the rate to be paid by the consumer thereof, and the money for lights so furnished shall be paid into the city treasury to be paid out on the order of the common council.

When council
may issue
bonds for
lighting
plant.

Light board
may sell
lights, fix
rates, etc.

This act is ordered to take immediate effect.

Approved May 29, 1901.

[No. 457.]

AN ACT to reincorporate the city of Clare, in the county of Clare, under the provisions of chapter eighty-eight of the compiled laws of Michigan of eighteen hundred ninety-seven, being an act, entitled "An act to provide for the incorporation of cities of the fourth class," and to repeal act two hundred ten of the local acts of eighteen hundred ninety-one, entitled "An act to incorporate the city of Clare, in the county of Clare, and to repeal act number four hundred four of the local acts of eighteen hundred seventy-nine, entitled 'An act to incorporate the village of Clare, in the county of Clare,' and all other acts relating to said village of Clare," and all amendments thereto.

The People of the State of Michigan enact:

SECTION 1. The city of Clare in the county of Clare, as now constituted and incorporated, with the same territory and boundaries, is hereby reincorporated under and made subject to the provisions of chapter eighty-eight of the compiled laws of Michigan of eighteen hundred ninety-seven, being an act, entitled "An act to provide for the incorporation of cities of the fourth class," and all provisions of said act for the incorporation of cities of the fourth class contained, rela-

Territory re-
incorporated.

tive to cities incorporated under special laws and reincorporated thereunder, shall apply to the city of Clare the same as though reincorporated thereunder.

Act repealed. SEC. 2. That act number two hundred ten of the local acts of eighteen hundred ninety-one, entitled "An act to incorporate the city of Clare, in the county of Clare and to repeal act number four hundred four of the local acts of eighteen hundred seventy-nine, entitled 'An act to incorporate the village of Clare, in the county of Clare' and all other acts relating to said village of Clare," and all amendments thereto, be and the same are hereby repealed.

This act is ordered to take immediate effect.

Approved May 29, 1901.

[No. 458.]

AN ACT to amend sections three, six and ten, of chapter twenty-one, and section twelve of chapter twenty-six, of act number four hundred thirty-four of the local acts of Michigan for the year eighteen hundred and ninety-five, approved May twenty-fourth, eighteen hundred ninety-five, entitled "An act to incorporate the city of Three Rivers, and to repeal act number one hundred sixty-one of the session laws of eighteen hundred fifty-five, entitled 'An act to incorporate the village of Three Rivers,' approved February thirteenth, eighteen hundred fifty-five, and all amendments thereto."

The People of the State of Michigan enact:

Sections amended.

SECTION 1. That sections three, six and ten, of chapter twenty-one, and section twelve of chapter twenty-six, of act number four hundred thirty-four of the local acts of the State of Michigan for the year eighteen hundred ninety-five, approved May twenty-fourth, eighteen hundred ninety-five, entitled "An act to incorporate the city of Three Rivers, and to repeal act number one hundred sixty-one of the session laws of eighteen hundred fifty-five, entitled 'An act to incorporate the village of Three Rivers,' approved February thirteenth, eighteen hundred fifty-five, and all amendments thereto," be amended so that said sections shall read as follows:

CHAPTER XXI.

Resolution, what to contain.

SEC. 3. When the council shall determine to make any public improvement or repairs and defray the whole or any part of the cost and expense thereof by special assessment, they shall so declare by resolution, stating the improvement,

and what part or proportion of the cost and expense thereof shall be paid by special assessment, and what part, if any, has been or will be appropriated from the general funds of the city; and shall designate the district or lands and premises upon which the special assessment shall be levied.

SEC. 6. Special assessments to defray the cost and expense of any improvement, or to defray such part or proportion of the cost and expense thereof as the council shall require to be paid by special assessment, may be assessed and levied after the completion of such improvement; or, if the council shall so determine, special assessments to defray the estimated cost of any improvement, or such part or proportion of such estimated cost as the council shall require to be paid by special assessment, may be assessed and levied before such improvement shall be made.

When special assessments to be levied.

SEC. 10. When any expense shall be incurred by the city in respect to any separate or single lot, parcel of land or premises, including the building or repairing of sidewalks, and any other work that may be done or expense incurred in reference to sidewalks, under the provisions of this act, which by the provisions of this act the council is authorized to charge and collect as a special assessment against the same, and not being of that class of special assessments required to be made pro rata upon several lots or parcels of land in a special assessment district, an account of the services and material for which such expense was incurred, verified by the officer or person performing the labor or services, or causing the same to be done, with a description of the lot or premises upon or in respect to which the expense was incurred, and the name of the owner or person, if known, chargeable therewith, shall be reported to the council in such manner as they shall prescribe. The provisions of sections three, four, five, six, seven, eight and nine of this chapter, so far as they relate to special assessments generally, and the proceedings necessary to be had before making the improvement, shall not apply to assessments to cover the expense incurred in respect to that class of improvements contemplated in this section; but the following sections eleven and twelve, shall be specially applicable to the improvements covered by this section; and the remaining sections of this chapter shall govern all classes of special assessment authorized by this act.

Expense incurred upon single lot.

CHAPTER XXVI.

SEC. 12. No public work, improvement or expenditure shall be commenced or any contract therefor be let or made except as herein otherwise provided, until a tax shall have been levied to pay the cost and expense thereof, or such part or proportion of such cost and expense as the council shall determine shall be paid from the general funds of the city;

When public work, etc., may be commenced.

or until the money shall have been borrowed therefor as provided in chapter twenty-seven of this act.

This act is ordered to take immediate effect.

Approved May 31, 1901.

[No. 459.]

AN ACT to detach certain territory from school district number one and school district number five, in the township of Marathon, in the county of Lapeer, in this State, and attach the same to school district number eight, in said township of Marathon.

The People of the State of Michigan enact:

Territory
detached.

SECTION 1. That the following territory, to-wit: The south three-fourths of the west half of east half of section ten of school district number five and the south three-fourths of the west half of the east half of section nine, the south three-fourths of the west half of section nine and the south three-fourths of the east half of east half of section eight of school district number one be detached from said district number five and district number one, and attached to school district number eight, all of said territory being in the township of Marathon, town nine north of range nine east, in the county of Lapeer.

This act is ordered to take immediate effect.

Approved May 31, 1901.

[No. 460.]

AN ACT to authorize the county of Houghton to construct or purchase, own and maintain one or more hospitals, pest-houses or quarantine buildings, and to provide the means for constructing or purchasing, maintaining and managing the same; and to legalize the action of the board of supervisors of the county of Houghton in constructing a building for the use of a hospital and pest-house.

The People of the State of Michigan enact:

Hospitals,
pest houses,
etc.

SECTION 1. That the county of Houghton is hereby authorized and empowered to purchase the necessary lands and erect thereon, or otherwise provide one or more hospitals, pest-houses or quarantine buildings within the limits of the said county of Houghton, and to provide for the appointment of the necessary officers, attendants or employes, for the care

and management thereof, and for the care and treatment therein of such sick and diseased persons as the board of supervisors of the county of Houghton shall deem proper; and by the direction of the said board of supervisors or the county physician, persons having any malignant infectious or contagious disease or who have been exposed to any such disease, may be removed to such hospital, pest-house or quarantine buildings, and there detained and treated, when the public safety may so require; and the said board of supervisors may provide such restraints and punishments as may be necessary to prevent any such person from departing from such hospital, pest-house or quarantine grounds until duly discharged.

SEC. 2. The board of supervisors of Houghton county shall also have and exercise within and for the county all the powers and authority conferred upon boards of health by chapter forty-six of the compiled laws of eighteen hundred ninety-one and all amendments thereto, being chapter thirty-nine of Howell's annotated statutes of the State of Michigan, so far as the same are applicable and consistent with this act; and they may enact such rules and regulations as may be proper for regulating the proceedings and mode of exercising such powers and authority.

Powers of
board of
supervisors.

SEC. 3. The action of the board of supervisors of Houghton county taken and had at the October, November and December, nineteen hundred sessions of said board, relative to the construction and maintenance of a building for the use of a hospital and pest-house, be and the same is hereby declared to be in all things legal and valid forever after the passage of this act.

Action of
board de-
clared legal.

This act is ordered to take immediate effect.

Approved May 31, 1901.

[No. 461.]

AN ACT to amend act number forty-eight of the local acts of eighteen hundred and eighty-two, entitled "An act to reincorporate the city of Manistee," approved March fifteenth, eighteen hundred and eighty-two, by adding two new chapters thereto to stand as chapters thirty-one and thirty-two, and repealing all parts of said act inconsistent therewith.

The People of the State of Michigan enact:

SECTION 1. That act number forty-eight of the local acts of eighteen hundred and eighty-two, entitled "An act to reincorporate the city of Manistee," approved March fifteenth, eighteen hundred and eighty-two, be amended by adding

Act amended.

thereto two new chapters to stand as chapters thirty-one and thirty-two, and repealing all parts of said act inconsistent therewith, which said new chapter shall read as follows:

CHAPTER XXXI.

BOARD OF ASSESSORS.

Board of assessors.	SECTION 1. There shall be three assessors within the corporate limits of the city of Manistee, who shall be known as
Term of office.	"the board of assessors of the city of Manistee," each of whom shall hold his office for the term of three years and until his successor is appointed by the mayor and duly qualified, and whose powers and duties shall be as hereinafter provided.
Compensation.	Such assessors shall devote such time as may be necessary to discharge the duties of their office, and shall each receive as compensation therefor such sum or sums as the city council may from time to time by ordinance direct, payable monthly out of the same funds and in like manner as other city officers are paid. The member of the board of assessors whose term of office shall soonest expire shall be the president thereof. Such board of assessors shall have an office furnished by the city of Manistee.
President.	
By whom appointed.	SEC. 2. On the third Tuesday of January, nineteen hundred and two, or as soon thereafter as practicable it shall be the duty of the mayor to nominate one assessor for the term of one year, one assessor for the term of two years and one assessor for the term of three years, who shall be confirmed by a three-fourths vote of all the aldermen elect, and annually thereafter, on the third Tuesday of April, or as soon thereafter as practicable the mayor shall nominate one assessor for the term of three years to take the place of the assessor whose term then expires, which nomination shall be confirmed as aforesaid.
Duties.	SEC. 3. Said board of assessors shall before the first Monday in May, in the year nineteen hundred and two, and every fiscal year thereafter, assess, at its true cash value, all the real and personal property subject to taxation by the laws of this State, within the corporate limits of each ward of said city, and shall, within the same period, make and complete the assessment roll for each ward in books to be provided for that purpose by the city council of said city; and perform all duties relating to the assessment of property for taxation heretofore performed by the supervisors in the several wards in said city of Manistee under chapter twenty-seven of said act.
Powers.	SEC. 4. The board of assessors shall have power to demand of every person owning or having charge as agent or otherwise, of any taxable property, in any ward of said city, a list of all such property, with such description as will enable it to assess the same, which demand may be printed

or in writing, or partly printed and partly written, to be delivered to such person personally or by leaving the same at his place of business or abode with some suitable person of proper age and discretion; and every cashier or other officer of any bank, trust company or corporation to furnish on demand of said board, a complete list of all the stockholders, owning shares of stock in any such corporation, or company, and the amount thereof owned by each person, and the residence of each stockholder when known. If such list is not furnished by such person, cashier or other officer, or if any property in such ward is omitted from such list, then said board of assessors shall have the power and it shall be its duty to place upon such assessment rolls such property to be assessed as said board of assessors, in using its best knowledge and information, shall deem liable to assessment.

SEC. 5. After said assessment rolls shall have been completed by said board, it shall be its duty to cause notice to the taxpayers to be published in a newspaper published and circulated in said city, for ten days prior to the first Monday in May in each year, that the assessment rolls will be completed on said first Monday in May, and that upon said day, said board of assessors will commence to sit to hear objections to assessments upon said rolls. Said notice shall state where said board will sit to hear such objections, and that any person considering himself aggrieved by reason of any assessment, may complain thereof, by a protest in writing filed with said board of assessors within six days after the said first Monday in May, and that no complaint will be heard if no such protest had been filed with said board within said last mentioned date. Every such protest shall be in writing and shall state specifically the grounds of the protest and the matters complained of, and no other matters shall be considered by said board. The date of the receipt and filing of such protest shall be endorsed thereon and signed by one of said board in his official capacity, and it shall thereupon become a part of the official records of its office. The said board shall review the assessments complained of, and alter or correct the same as to the persons charged thereby, the property described therein and the estimated value thereof, and in deciding such questions, the concurrence of the majority of the board shall govern. After having completed the review and corrected the assessment rolls, said board shall sign the same, and add thereto its certificate that the same have been duly completed. On or before the second Monday in May in each year said board shall deliver said assessment rolls so completed, signed and certified to by it, to the board of review of said city, which board shall be constituted as provided for in section five of chapter twenty-seven of said act.

SEC. 6. After receiving said assessment rolls from the board of assessors said board of review, shall, at its regular session proceed to consider the same, and any person conceiving himself aggrieved by the assessment of his property,

Notice that
roll is com-
pleted.

What to state.

Protest.

Board to
review
assessments.

To add
certificate.

Aggrieved
persons
may appeal.

Where appeal filed.	and the decision of said board of assessors thereon, may appeal to said board of review. Every such appeal shall be identical in matter with the protest filed in the board of assessors' office and shall be in writing and shall state specifically the grounds of appeal and the matters complained of, and no other matter shall be considered by the said board of review. Such appeal shall be filed in the office of the city clerk within three days after the delivery of said assessment rolls to the board of review as provided for in the preceding section, and the city clerk shall endorse thereon the date of the receipt and the filing of the same, and thereupon such appeal shall become a part of the official records of his office. The board of review shall have power to administer oaths and examine witnesses in the same manner as is now or hereafter may be conferred upon township boards of review by the general tax laws of this State: Provided, That no appeal shall be entertained by said board of review, unless the same shall have been first brought to the attention and consideration of the board of assessors, as aforesaid. Whenever said board of review shall sit the said board of assessors shall be notified and it shall be the duty of each assessor to attend such session or sessions, and each of said members of said board of assessors shall answer such questions as may be put to him by the board of review, and each assessor may make such suggestions as he may desire, relating to the matters under advisement by such board of review.
Proviso.	
Duty of board of review.	SEC. 7. The board of review shall hear and determine all appeals in a summary manner and correct any clerical error which it may discover in the assesment rolls, and may place thereon the names of any person or persons and descriptions of any property not already assessed, and may assess the same.
Consideration of rolls.	SEC. 8. The board of review may continue the consideration of said assessment rolls and the hearing of such appeals from session to session not exceeding six days from the time when the same are first taken under consideration as above provided and a vote of two-thirds of the members of such board of review shall be necessary to change any assessment made by said board of assessors on which an appeal has been made. On or before the expiration of said six days said assessment rolls shall be fully and finally confirmed by said board of review, and shall be and remain as the basis of all taxes to be levied and collected in the said city of Manistee, according to the property valuation until another assessment shall be made and confirmed as above provided for: Provided, That in finally passing upon said assessment rolls a majority vote of the members of said board of review shall be sufficient to confirm the same; and in case of a tie vote such rolls shall stand confirmed.
Two-thirds vote necessary to change.	
Proviso.	
Duties of clerk.	SEC. 9. The city clerk of said city of Manistee shall be clerk of said board of review, and shall keep the records of its sessions and its proceedings and such other records as are

necessary to be kept, and it shall be his duty to attach his certificate under the seal of the city of Manistee to said assessment rolls, after the same shall have been finally confirmed by said board of review, certifying that such assessment rolls have been acted upon and confirmed by said board of review, and thereupon it shall be his duty to keep and retain the same in his office until the taxes are spread thereon as required by said chapter twenty-seven of said act.

SEC. 10. It shall also be the duty of the said board of assessors to perform all the duties of the board of assessors required by chapter twenty-four of said act, entitled "Cost of improvements, special assessments."

Other duties
of assessors.

SEC. 11. The members of said board of assessors hereby created shall be ex officio members of the board of supervisors of the county of Manistee.

To be ex-officio
members, etc.

SEC. 12. All books, papers, assessment rolls and records formerly belonging to the offices of the respective supervisors of the several wards of the city shall be placed in the office of the said board of assessors; and all future assessment rolls shall likewise be placed therein, and all such books, papers, records and assessment rolls shall remain therein as a part of the official records thereof.

Where
records, etc.,
to be kept.

CHAPTER XXXII.

BOARD OF POLICE AND FIRE COMMISSIONERS.

SECTION 1. All the powers and duties connected with and incident to the government and discipline of the police and fire departments of the city of Manistee, shall be, as hereinafter provided, vested in and exercised by a board of three commissioners, to be known as "The Board of Police and Fire Commissioners of the City of Manistee," a majority of whom shall constitute a quorum for the transaction of business. Such board shall be appointed as hereinafter provided.

Who to
constitute
board of
police, etc.

SEC. 2. The full term of each member of said board, hereinafter to be appointed, shall be for the term of three years except the first appointment under this act shall be as hereinafter provided and until his successor is appointed and qualified. Such appointment shall be made by the mayor on the third Tuesday in February, nineteen hundred two, at which time it shall be the duty of the mayor to nominate one commissioner for the term of one year, one commissioner for the term of two years and one commissioner for the term of three years, who shall be confirmed by a three-fourths vote of all the aldermen elect; which said commissioner's term of office shall commence to run from the first day of May, nineteen hundred two, and annually thereafter, on the third Tuesday of April, or as soon thereafter as may be, the mayor shall nominate one commissioner for the term of three years to take the place of the commis-

Term of office,
appointment,
etc.

sioner whose term of office then expires, which nomination shall be confirmed as aforesaid.

Compensation,
eligibility, etc.

SEC. 3. Said commissioners shall serve without any compensation whatsoever. No person shall be eligible to said board unless he shall then be an elector and resident of said city, nor shall any person be eligible who holds any elective or political office, or any office by virtue of the appointment of the mayor or city council of said city, and any of said commissioners shall be considered as vacating his office in the event of his accepting or holding any such office.

Oath.

SEC. 4. Any person appointed and accepting membership on said board, shall take the oath of office prescribed by the charter of said city for appointive officers, and file the same in the office of the city clerk, which filing shall constitute an acceptance of the office, and said city clerk shall report such acceptance of office to the city council at its next regular meeting.

Officers of
board.

SEC. 5. The board shall annually elect one of its members president thereof, to act until his successor is elected, and shall fill any vacancy in such office as president. It shall also annually appoint an elector of the city to be secretary of the board, and shall fix his compensation. Such board of commissioners shall have an office furnished by the city of Manistee, for its use, and shall hold therein such regular and special meetings as it may, from time to time, provide, and shall cause full and accurate records of the same and of all business transacted by the board to be kept by the secretary. The city of Manistee shall furnish such office with all necessary record books, stationery, etc., for the use of said board. The secretary shall keep a separate account of all expenditures ordered by the board, an account of all expenditures ordered by the board on account of the police and fire departments, and of all expenses incurred by the board in managing and maintaining said department. The board shall report to the city council monthly, the condition and needs of the police and fire departments, and the expense of conducting the same for the ensuing month, together with the number of men employed in each of said departments. Said board shall also certify, from time to time, to the city clerk all such accounts, claims and demands against the city for or on account of said police and fire departments, as shall have been approved by the board, and shall report the same to the city council for payment, in all cases where the expenditure involved is included within the detailed annual estimate, in all other cases he shall report the item to the council for its action. Said board may also report to the city council any claim or demand, the validity of which may be in doubt.

Accounts
kept separate.

Board to
certify.

City marshal.

SEC. 6. Said board shall have full power to appoint a city marshal, who shall be chief of police, policemen, special policemen, additional policemen, and watchmen, subject to

the limitations and restrictions as to qualifications as are provided for in this act, and to fix the compensation of the same, not exceeding an amount which the city council may by ordinance prescribe. It shall have power to appoint as many policemen and watchmen as it may deem necessary, but not exceeding one for every two thousand inhabitants of the city.

SEC. 7. It shall also appoint as many special policemen in times of special emergency, or apprehended danger from riots, or other cause of alarm, as it may deem expedient, or as the city council or mayor may request; the special policemen so appointed shall perform duty only at the places designated by the board, and shall continue in office at the pleasure of the board, or the emergency may require, or the council or mayor may direct. All persons appointed by the board under this section and the preceding section shall be citizens of the United States, and shall have been continuous residents in the city for at least one year next preceding such appointment.

Special
policemen.

Qualifications
for appointment.

SEC. 8. The city marshal and policemen of said city, in addition to the powers, duties and authority possessed by them at common law and the laws of this State in matters of a criminal nature, shall have power to arrest without process, all persons who shall, in the presence of the arresting officer, be engaged in the violation of any ordinance or regulation of the city council, or the penal laws of this State, and such persons may be detained in custody until a complaint can be made and process issued for their arrest and trial; and it shall be the duty of such officer to make such complaint and procure such process in the proper court, as speedily as possible after such arrest.

Additional
powers of
marshal, etc.

SEC. 9. Said board of commissioners may, whenever it shall seem to them best, dismiss from the department and from service, the city marshal or any member of the police force, or any watchman with or without charges or trial, and no such dismissed person shall be entitled to any compensation after such dismissal, and they may change the amount of compensation of any member of the department at any time, and may suspend any member of the department with loss of pay for such time as they may fix.

When city
marshal, etc.,
dismissed.

SEC. 10. Said board shall have power, and it shall be its duty to make such rules and regulations for the government and discipline of said police department as it may deem best calculated to secure thoroughness and efficiency. It shall prescribe suitable uniforms and badges for the several members of the department. It shall purchase all supplies and materials needed for the use of the department. It may adopt such system of reports from the members of the force to the city marshal and from the city marshal to the board, as it shall deem desirable, and may, in its discretion, require a bond to the city from said city marshal or any member of the department as security for the proper performance of

Rules and
regulations
of board.

To prescribe duties, etc.	his duties. It shall prescribe the duties of the city marshal and of all regular and special policemen and shall provide for the preservation of the public peace, for the prevention of crime, for the arrest of all offenders against the peace and good order of the city, and of all persons violating the ordinances of said city. It shall provide for the protection of the rights of all persons and property and for the preservation and order at fires, and at all railroad depots and steamboat landings, and shall cause the enforcement of ordinances of the city and laws of the State in regard to public peace, public health and the enforcement of the provisions of the ordinances of said city relative to the restraining and regulating of the running at large of horses, cattle, swine and other animals, geese and poultry, and for the impounding of the same under and by virtue of the provisions of the ordinances of said city. And it shall also cause the enforcement of all other ordinances or regulations proper to be enforced by the police of said city. And it shall be the duty of said board at all times, whenever consistent with the regulations of said board and the requirements of this act, to furnish all information desired, and to comply with all requests made by the city council of said city or by the mayor thereof.
To provide protection to rights of persons, etc.	
To enforce ordinances, etc.	

OF THE FIRE DEPARTMENT.

Duties and powers of board.	SEC. 11. The board of police and fire commissioners shall have the keeping and the custody of all engine houses, fire engines and apparatus, horses, hose, implements, tools, bells, bell towers, fire alarm telegraph, and of all property of whatever nature, and the complete care and control of the fire department shall be vested in said board, and it shall be its duty to maintain said department and keep the same in good order; and to prescribe all rules and regulations for the government of the same, and may prescribe reasonable and legal fines and penalties for the breach of any such rules or regulations.
To appoint chief, etc.	SEC. 12. Said board shall appoint one fire chief, as many assistant chiefs as it may deem necessary, and a proper number of firemen, hook and ladder men, and other employees as it may deem best, all to have the privileges and exemptions of firemen, and to hold their appointments during the pleasure of said board. And said board shall, from time to time, as it may deem proper, prescribe and publish in convenient form for use, a system of rules and regulations for the government of the fire department. All persons appointed by said board under the provisions of this section, shall be citizens of the United States and continuous residents of the city of Manistee for at least one year next preceding such appointment.
To provide system of rules, etc.	
To fix salaries.	SEC. 13. Said board shall fix the salary of the fire chief and all other persons connected with the fire department of said city according to the city ordinance relative thereto,

and may require the fire chief to execute a bond to said city, conditioned as required in this act, and in such sum as it may deem best to secure the faithful performance of his duties. Said board shall have power to purchase all such fire engines, with their hose and apparatus, horses, hose carts, ladders, trucks, fire hooks, fire buckets, and other tools, implements and conveniences for the use and extinguishment of fires, and to prevent injuries by fires, as may from time to time be necessary, and repair or replace the same, and it shall have power to make all needed repairs to any of the engine houses now built in said city, but it shall not have power to purchase real estate or erect engine houses.

To purchase
fire engines,
etc.

SEC. 14. Said board shall have power to locate sites for engine houses; to organize said city into as many fire districts as it may be necessary; to control the cisterns and hydrants in use by said fire department; to direct the manner in which the bells of the city shall be tolled or rung in case of fire or alarms of fire; and to establish and maintain an efficient system of fire alarm telegraph; and such other telegraphic or telephonic apparatus as may be necessary to secure the highest efficiency of the department.

To locate
sites, etc.

SEC. 15. The fire chief under the direction of the board, shall have the custody and general superintendence of the fire engines, engine houses, hooks, ladders, hose, horses, public cisterns, hydrants and other property and conveniences for the extinguishment and prevention of fires; and it shall be his duty to see that the same are kept in order and to see that the rules, regulations and ordinances relative to the fire department and to the prevention and extinguishment of fires are duly executed, and to make detailed and particular reports of the state of the department, the conduct of the members thereof, and such other matters as may be required by the rules and regulations, to the said board of police and fire commissioners.

Fire chief.

POLICE AND FIRE COMMISSIONERS.

SEC. 16. Said board shall prescribe the duties of the fire chief and other members of the fire department at fires, and may vest in them such powers as shall be deemed necessary to preserve property from being stolen, and to extinguish and prevent fires; but in no case shall any member of said board or any officer of the city control or direct the fire chief or assistants during any fire. It may provide for the removal and keeping away from fires of all idle, disorderly or suspicious persons, and confer powers for that purpose on the chief, or other officers of the city. It shall require reports from the fire chief or other officer in charge of the department, of all fires, fire alarms, losses and insurance on all property destroyed, and keep proper record thereof, and shall report the same monthly to the city council of said city. And it shall be competent for said board at any time, if in

Board to
prescribe
duties of fire
chief, etc.

May provide
for removal
of certain
persons
from fires.

their best judgment proper, to send any steam or fire engine with hose and apparatus to the relief of any community in the vicinity of said city.

Privilege
of chief
relative
to burning
buildings,
etc.

SEC. 17. Whenever any building in the city shall be on fire, it shall be lawful for the fire chief in charge at such fire, with the consent of one member or more of the board of police and fire commissioners, to order such building or any part thereof, or any other building, or any part thereof, not on fire, but which may be deemed hazardous and likely to communicate fire to other buildings, to be pulled down and destroyed. In such case no action shall be maintained against any person, or the city therefor. Any person pecuniarily interested in any such building destroyed, in whole or in part, may, within three months thereafter apply to the city council to assess and pay the damages which he has thereby sustained.

Interested
persons to
apply to
council.

Application
for damages.

SEC. 18. Such application shall be in writing, signed and sworn to by such person, and shall contain a statement of the amount claimed. Such application shall be filed in the office of the city clerk, who shall endorse on the back thereof, the date of the receipt and filing of the same. After the expiration of three months, the city council shall either pay the person such sum as the city council and the person shall have agreed upon for such damages; or if no such agreement shall have been effected, the city council shall proceed to ascertain the amount of such damages, and shall provide for the appraisement, assessment, collection and payment of the same, as is provided for in the charter of the city of Manistee for ascertainment, assessment, collection and payment of damages sustained by the taking of real estate for the purposes of public improvement.

Jury
appointed
to appraise,
etc.

SEC. 19. The jury appointed to appraise and assess the damages incurred by the person whose building is destroyed in whole or in part, as provided for in the two preceding sections, shall take into account the probability of the same having been destroyed or injured by fire, if it had not been so pulled down or destroyed, and may report that no damages should equitably be allowed to such person. Whenever a report shall be made and finally confirmed in the proceedings for appraising and assessing the damages, a compliance with the terms thereof by the city council, shall be deemed a full satisfaction of all damages to such person.

Board to
enforce
ordinances,
etc.

SEC. 20. Said board shall see that all ordinances and regulations of the city council, and all provisions of this act relating to the fire department and to the prevention and extinguishment of fires, and all the provisions of the general laws of the State relating thereto are faithfully enforced, and it may, at all times, call upon and direct the police force to enforce the same.

Estimates
of expense,
who to pre-
pare.

SEC. 21. It shall be the duty of said board to prepare and submit to the city council for its ratification or amendment, on or before the third Tuesday in April of each year, esti-

mates of the whole expense of maintaining the police and fire departments of the city for the ensuing year. Such estimates shall be separate for the two departments, and shall specify in detail the objects of the expenditures, the sum desired for each, and any special reasons the board may have for desiring the same. The amount of money for each department which the city council shall determine by resolution to be necessary shall be certified by the city clerk to the city council, with the other amounts determined to be raised by tax for city, highway, sewer and other purposes in accordance with the provisions of the city charter.

SEC. 22. Said board shall not incur any indebtedness, nor enter into any contract requiring the payment of money unless such indebtedness or such contract is provided for in the said detailed annual estimate provided for in the preceding section, unless specially authorized so to do by a majority of all the aldermen elect of the city council.

When board
may incur
indebtedness.

SEC. 23. Any and all parts of said act number forty-eight of the session laws of eighteen hundred eighty-two in any manner contravening or inconsistent with this chapter are hereby repealed.

Repealing
clause.

Approved May 31, 1901.

[No. 462.]

AN ACT to amend section fifteen of chapter nineteen of an act entitled "An act supplemental to the charter of the city of Detroit, and relating to parks and boulevards, and other public grounds, in said city, and to repeal act number three hundred seventy-four of the local acts of eighteen hundred seventy-nine, entitled 'An act to provide for the establishment and maintenance of a broad street or boulevard, about the limits of the city of Detroit, and through portions of the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne,'" approved May twenty-one, eighteen hundred seventy-nine.

The People of the State of Michigan enact:

SECTION 1. That section fifteen of chapter nineteen of an act entitled "An act supplemental to the charter of the city of Detroit, and relating to parks and boulevards, and other public grounds, in said city, and to repeal act number three hundred seventy-four of the local acts of eighteen hundred seventy-nine, entitled 'An act to provide for the establishment and maintenance of a broad street or boulevard, about

Sections
amended.

the limits of the city of Detroit, and through portions of the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne," approved May twenty-one, eighteen hundred seventy-nine, as amended, be amended so as to read as follows:

Commissioner
may make map
of boulevard.

May purchase
land.

May issue
bonds.

SEC. 15. If at any time it shall appear that the lines of said boulevard, authorized by said act approved May twenty-one, eighteen hundred and seventy-nine, have not been legally laid out, or established as provided by said act, the commissioner may make and certify a map or plat showing the lines of location of said boulevard, and cause the same to be recorded in the office of the register of deeds for said county. The commissioner may receive conveyances granting to the city of Detroit lands for said parks, public grounds or boulevards, and with the approval of the common council, may agree with any person having an interest in any such lands for the purchase and conveyance to said city of the same; and with the consent of said common council may acquire by purchase or by legal proceedings in the manner hereinafter provided any lands or interest in land which may be found necessary for the opening of any park and enlargement or extension of any park or boulevard which may hereafter be laid out, located or established, and may, whenever the common council shall so determine, take charge of and convert into a boulevard any portion, or all, of the street known as Lafayette avenue as it is now laid out or as it may be opened at any future time. And upon such acquisitions being made, to cause the proper conveyances to be made and recorded, and the purchase price thereof, as well as any compensation to be paid for any lands which may be taken or condemned by proceedings taken therefor, as hereinafter provided, may be paid from the contingent fund of said city, or may be raised, if the common council shall so determine, by the issue of bonds to be known as park and boulevard bonds, and which shall be signed, numbered, recorded, sold and issued, in like manner as Detroit sewer bonds are by the city charter required and authorized to be made and issued. And the moneys so paid or raised shall be exclusive of the amounts raised for maintenance and improvement as hereinbefore provided.

This act is ordered to take immediate effect.

Approved June 3, 1901.

[No. 463.]

AN ACT to amend section one of act number one hundred fifty-three of the session laws of eighteen hundred sixty-one, being an act, entitled "An act to incorporate the public schools of the city of Adrian," as amended by act number three hundred forty-one of the session laws of eighteen hundred sixty-nine, approved March twenty-four, eighteen hundred sixty-nine, and as further amended by act number four hundred thirty-nine of the local acts of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. That section one of act number one hundred fifty-three of the session laws of eighteen hundred sixty-one, being an act, entitled "An act to incorporate the public schools of the city of Adrian," approved March thirteen, eighteen hundred sixty-one, as amended by act three hundred forty-one, of the session laws of eighteen hundred sixty-nine, and as further amended by act number four hundred thirty-nine of the local acts of eighteen hundred ninety-seven, be and the same is hereby amended so as to read as follows:

SECTION 1. All of the city of Adrian, and so much of the townships of Adrian and Madison as are included in the following description and boundaries, namely: All those lands situated in township six south of range three east, known and distinguished as the southeast quarter of the southeast quarter of the northwest quarter, and the north half of the northeast quarter of section thirty-four, also that part of the east half of the west quarter of section thirty-four, commencing at a point on the north and south quarter line fifty-five rods and twenty links south of the quarter stake, thence north sixty-nine degrees west eight rods, thence north eighty-nine degrees west seventeen rods and fifteen links, thence south and parallel to said quarter line thirteen rods and three-fourths of a link, thence south eighty-nine degrees east and parallel to the west part of the north line twenty-five rods to the quarter line, thence north on said quarter line ten rods and five links to the place of beginning. The north half of the northwest quarter and the north half of the northeast quarter of section thirty-five, and the north half of the northwest quarter of section thirty-six; also, all those lands situated in township seven south of range three east, being the west half of section three, the northeast quarter of the northeast quarter of section nine, the north half of the southeast quarter and the east half of the southwest quarter of section ten, the north half, the southwest quarter, and the west half of the southeast quarter of section eleven, and the north half of the northwest quarter of section twelve, shall constitute a single school district, to be known and desig-

Sections
amended.Boundaries
of school
district.

Schools to
be free and
public.

nated as the public schools of the city of Adrian, and such district shall have all the powers and privileges conferred upon school districts and union school districts by general law; and hereafter all schools organized therein, in pursuance of this act, under the direction and regulation of the school board, shall be public and free to all children, actually residents within the limits thereof, between the ages of five and twenty-one years, inclusive.

Approved June 3, 1901.

[No. 464.]

AN ACT to revise and amend act number four hundred twenty-six of the local acts of eighteen hundred sixty-nine, approved April third, eighteen hundred sixty-nine, entitled an act to revise an act entitled "An act to incorporate the board of education of the city of East Saginaw," and the several acts amendatory thereto, and to repeal all acts and parts of acts in conflict with this act.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections one, two, eight and sixteen of act number four hundred twenty-six of the local acts of eighteen hundred sixty-nine, approved April third, eighteen hundred sixty-nine, entitled "An act to incorporate the board of education of the city of East Saginaw," and the several acts amendatory thereto, be and the same are hereby amended to read as follows:

Eastern
taxing
district.
Inspectors.

SECTION 1. The eastern taxing district of the city of Saginaw shall constitute one school district from and after this act takes effect. The school inspectors of said school district after the third Monday in July, A. D. nineteen hundred one, shall hold their office as members at large, and discharge all the duties thereof and of said board until July fourth, A. D. nineteen hundred three. At the biennial spring election in April, nineteen hundred three and at each biennial city election held in April in said city thereafter, there shall be elected in each ward of said district one school inspector for the term of two years. The term of office of the members of said board of education after July fourth, nineteen hundred three, shall commence on the fourth day of July in each second year thereafter: Provided, That the members-elect of said board shall file an acceptance and oath of office with the city clerk, as required of other city officers. In case of vacancy in said office of school inspector, the common council of said city shall elect by ballot from names submitted to the mayor in a resolution adopted at a regular meeting by said board of education, some suitable person to fill said vacancy until the time for the next general city election and

Term of office.

Board of
education,
term of office.

Proviso.

Vacancy.

until his successor shall qualify. At the following biennial city election some suitable elector shall be elected to fill such vacancy for the unexpired term, who shall enter upon the duties of his office upon qualifying.

SEC. 2. The school inspectors elected in said eastern taxing district of said city shall be a body corporate by the name of "the board of education of the city of Saginaw, east side," and by that name may sue and be sued, and be capable of holding, renting, selling and conveying real and personal property for the use of and as the interests of the common and public schools of said eastern taxing district may require, and shall be subject to all the general laws of this State relative to corporations, so far as the same may be applicable. They shall succeed to and be entitled to demand and have all money, real or personal property, uncollected taxes and other rights belonging or to become due to "the board of education of the city of East Saginaw," and the school district embraced in the former city of East Saginaw. Said board shall also pay all the debts and demands that may be existing against "the board of education of the city of East Saginaw," and the school district embraced within the former city of East Saginaw.

Body
corporate.

Subject to
general laws.

SEC. 8. Said board shall have power and authority to establish and maintain a high school in said district, and to appoint a superintendent of the public schools of said district, and such assistants and teachers as may be necessary, with such salary and such powers and duties as shall be prescribed by the said board. Teachers and all other employees employed by said board shall receive their salary bi-weekly.

Powers of
board.

SEC. 16. School inspectors shall be citizens and after July fourth, A. D. nineteen hundred three, reside in the ward they are elected to represent on said board, and a removal from the ward after the date named shall be deemed to vacate the office of such inspector. If any person shall be elected as school inspector, and shall file his acceptance and qualify for said office, and thereafter refuse to serve on said board or on any committee to which he may be assigned, or shall refuse or neglect to attend to the duties of a member of said board without sufficient cause, he shall forfeit to said board, for the use of the library fund, a sum not exceeding fifty dollars, to be recovered in an action of debt before any competent court with costs. Said board of education shall have power to make all necessary rules and regulations relative to its proceedings, and punish by fine, not exceeding five dollars, for each offense, any member of the board who may absent himself from meetings thereof, or neglect or refuse to serve on committees thereof, without sufficient cause, to be recovered with costs, by said board, in an action of debt in any competent court. And the said board may impose a fine upon any officer elected by them for neglect of duty,

Inspectors to
be citizens.

To file
acceptance.

Penalty for
refusal or
neglect.

Rules, regula-
tions, etc.

Fine for
neglect of
duty.

Repealing
clause.

as they may determine, not to exceed the sum of twenty-five dollars for any one offense, to be collected as above provided.

SEC. 2. All acts or parts of acts contravening the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 465.]

AN ACT to authorize and empower the county of Ontonagon to purchase or to make, have made and maintain a system of abstracts of title of all lands in said county; to make and sell abstracts of title and furnish information concerning the condition of titles and charge such fees therefor as the board of supervisors of said county shall from time to time determine; to employ some person to keep and maintain such system of abstracts, and to do all things necessary for the carrying on of a general abstract business of titles to lands in Ontonagon county.

The People of the State of Michigan enact:

Amount to
be paid for
abstracts,
etc.

SECTION 1. The county of Ontonagon in the State of Michigan is hereby authorized to purchase the system and set of abstracts of titles to lands in said county now owned and operated by private individuals at a sum not to exceed five thousand five hundred dollars, and in the event that the owners of said system of abstracts of titles neglect or refuse to sell and transfer to said county said original and complete set of abstracts within ninety days after the tender to said owners of said sum of five thousand five hundred dollars in legal tender by said county of Ontonagon or its duly authorized agent, then the said county of Ontonagon is hereby authorized to make or have made and maintain a system of abstracts of titles to all lands in said county; to make and sell abstracts of title and furnish information concerning the conditions of title to such lands and to charge such fees therefor as the board of supervisors of said county shall from time to time determine, and to do all things necessary for the carrying on of a general abstract business of titles to lands in said county,

Abstractor.

SEC. 2. It shall be the duty of said board of supervisors to keep employed some suitable person who shall be known as the abstractor of said county, who shall hold his office during the pleasure of said board.

Duties.

SEC. 3. The abstractor may be the county clerk or the register of deeds of said county, and his duties shall be as follows, viz.: It shall be his duty,

Manner
in which
abstracts
to be kept.

(a) To keep and maintain said system of abstracts in a thorough and complete manner, at all times and every particular, forthwith entering up in said system of abstracts the

record of all transfers, lis pendens, attachments, liens and all other matters affecting in any manner the title to any lands in said county, offered for record or filed in said county.

(b) To promptly make and deliver to any and all applicants abstracts of title to any lands in said county which may at any time be ordered, by mail or in person, and in the order they may be applied for, and to collect such fees therefor as the board of supervisors may from time to time determine.

To make and deliver abstracts, etc.

(c) To promptly furnish information concerning the condition of title to any such lands to any person inquiring therefor and to collect therefor such fee as the board of supervisors shall from time to time determine.

To furnish information.

(d) To turn over to the county treasurer of said county at the end of each month all moneys collected by him during such month together with a detailed statement thereof, which statement shall be a public record and shall remain on file in the office of said treasurer and be subject to general inspection.

Statement of moneys.

SEC. 4. Said abstractor shall give a bond to said county conditioned upon the faithful discharge of the duties of his office in all things without fraud or deceit and the proper turning over of all moneys collected by him in the running of said abstract business, and said bond shall be in such amount and with such sureties as the board of supervisors shall from time to time determine and shall be approved by the clerk and chairman of said board.

Bond.

SEC. 5. Said system of abstracts and all books and papers connected therewith shall be under the direction and control of the county board of supervisors, and shall at all times be kept in the court house in which the circuit court of said county is held.

Where abstracts kept.

SEC. 6. All books, papers and other files necessary for keeping up said system of abstracts and the carrying on of said abstract business shall be purchased under the supervision and direction of the board of supervisors of said county.

Books, etc., to be purchased.

SEC. 7. Said abstractor shall be paid such fees or salary for services rendered by him in keeping up said system of abstracts and for the performance of all duties connected with said office of abstractor of said county as the board of supervisors shall from time to time determine: Provided, That such fees or salary shall in no event exceed the net sum realized from the sale of abstracts and use of said system, and actually received by said abstractor and turned over to the county treasurer as herein provided.

Compensation.

Proviso.

SEC. 8. Said county of Ontonagon or said abstractor shall not in any manner guarantee the correctness of any abstracts of title furnished by said abstractor in behalf of said county or for any information furnished concerning the condition of title to any lands in said county, and said county shall not be held liable for damages caused by any error in any abstract

Abstractor not liable to damages for error.

	of title furnished by said abstractor or furnished by said county in any manner, or for any error in information furnished concerning the condition of title to any lands in said county.
Who entitled to information.	SEC. 9. All papers belonging to and constituting said system of abstracts shall not be subject to a general inspection except to public officers in the discharge of their official duties, and any person desiring information therefrom shall procure the same from the said abstractor upon payment of the proper fee therefor to the said abstractor, and any person upon the payment of the proper fee shall be entitled to an abstract of title to any lands in said county or to any information concerning the condition of the title to any lands in said county which shall be shown by said system of abstracts.
Expense, how paid.	SEC. 10. All cost and expense of making, having made or purchasing and keeping up said system of abstracts of title shall be borne from the general fund of said county, and all moneys collected in carrying on said abstract business shall be placed in said general fund.
When fee for information collected.	SEC. 11. Said abstractor shall in no instance deliver an abstract of title to any lands or furnish any information as provided for in this act without having first collected the proper fee therefor.
	This act is ordered to take immediate effect.
	Approved June 6, 1901.

[No. 466.]

AN ACT to amend sections thirty-five, forty-three, fifty, sixty-seven, seventy-six, one hundred thirty-five, one hundred fifty-two, one hundred ninety-eight and two hundred thirteen of, and to repeal section one hundred forty-two as amended by an act approved May twenty-third, nineteen hundred one, and to add three new sections to be known as sections seven a, forty-four and forty-five to act number four hundred forty-eight of the local acts of eighteen hundred ninety-seven, entitled as follows: "An act to revise and amend act number three hundred forty-six of the local acts of eighteen hundred eighty-one, entitled 'An act to revise an act to incorporate the city of Bay City,' approved March thirtieth, eighteen hundred eighty-one, as amended and revised by the several acts amendatory and revisionary thereof."

The People of the State of Michigan enact:

Sections amended.	SECTION 1. That sections thirty-five, forty-three, fifty, sixty-seven, seventy-six, one hundred thirty-five, one hundred fifty-two, one hundred ninety-eight and two hundred thirteen of act number four hundred forty-eight of the local acts of
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eighteen hundred ninety-seven, entitled "An act to revise and amend act number three hundred forty-six of the local acts of eighteen hundred eighty-one, entitled 'An act to revise an act to incorporate the city of Bay City,' approved March thirtieth, eighteen hundred eighty-one as amended and revised by the several acts amendatory and revisionary thereof," be amended to read as follows:

SEC. 35. The council shall have power to lay out, open, make, grade and repair streets, lanes and alleys and the same to alter and vacate, and shall have exclusive jurisdiction to alter or vacate those already laid out: Provided, That before any street, lane or alley shall be vacated or altered the person or persons applying therefor shall give public notice, specifying the time and place at which such application will be made, by causing the same to be published in the official newspaper for three successive weeks, or by personally serving upon each owner residing in said city, or occupant of any lot contiguous to said street or alley proposed to be altered or vacated, a copy of such notice. Upon the hearing of such application, all parties in interest shall be entitled to be heard in person or by counsel, and no street or alley shall be vacated except upon sufficient cause shown, and with the concurrence of three-fourths of all the aldermen elect: And provided further, That when any street or highway has once been graded, leveled, paved, or covered with broken or pounded stone or other material, and the grade line thereof established, the said council shall not change or alter the grade line of said street or highway unless they have been first petitioned so to do by a majority of all the property owners on said street or highway. The council shall have power to regulate the use of all public highways, streets, avenues and alleys of the said city, subject to the rights of travel and passage therein. Whenever it becomes necessary, in laying out or opening any such highway, street, avenue, lane or alley, to take private property for that purpose, the same shall be done in the manner hereinafter provided.

Power of council relative to streets.

Proviso as to notice.

Persons entitled to hearing.

Further proviso.

To regulate use of highways, etc.

SEC. 43. On the last Tuesday in April in each year, or as soon as practicable thereafter, the recorder shall send notices to each of the banks in Bay City, soliciting sealed bids for the deposit of the funds of the city, for the ensuing two years, which bids shall be delivered to the recorder who shall present all such bids to the common council at its first regular meeting thereafter, when they shall be opened and read. The council may for any reason by it deemed sufficient reject any or all such bids, and order the disposition of such bids as hereinafter specified. If one or more of such bids shall be deemed satisfactory by the council, it may contract with the bank tendering the most satisfactory bid for the safe keeping of all city moneys, to be drawn on account current by the city through its proper officer or officers. At the time of making any such contract such bank shall give a bond to the city, with sureties to be approved by the com-

Who to solicit bids.

Who may reject.

When bank to give bond.

mon council, sufficient to protect the city from loss, and the treasurer shall be relieved from all liability for such moneys so deposited in such bank until the same are drawn out by him. If for any reason no contract shall be made with any bank, then the city treasurer shall control and be responsible for all public moneys. All interest received shall belong and be credited to the general fund.

Mayor. SEC. 50. The mayor of the city, chosen and qualified as hereinbefore provided, shall be taken and deemed to be the chief executive officer of Bay City, and conservator of its peace. He shall be compensated for his services by a salary of five hundred dollars per annum. He shall from and after June first, A. D. nineteen hundred one, be ex officio a member of the board of supervisors of Bay county, shall attend all meetings thereof and be entitled to vote upon all matters that may be brought before said board, and shall receive the same compensation therefor, to be audited by said board and paid by the county, as is authorized by law to be paid township supervisors.

Power of comptroller. SEC. 67. The comptroller shall have power to appoint a deputy comptroller and such other assistants as he may require, to be approved by the council, and make or revoke such appointments at his pleasure, which appointments and the revocation thereof shall be made in writing and filed in the office of the recorder. Such appointees, before entering upon the discharge of their duties, shall take the constitutional oath of office, and, if required by the council, shall give bonds to the city for the faithful performance of their duties, and in such penalty as the council may require and approve. In case of the absence or inability of the comptroller to perform the duties of his office the said deputy shall discharge the duties thereof. In case of the absence, inability or failure of said comptroller, his deputy or assistants, to perform or discharge the duties of said office, the common council shall appoint some suitable person to discharge said duties, for such time as may be necessary, who, during such time, shall have all the powers and perform all the duties of the comptroller, or as much thereof as the council shall require. The comptroller of said city shall receive an annual salary of twenty-eight hundred dollars, which amount shall be payment in full of and for all services required by this act, and by the council to be performed or rendered by said comptroller and his deputy and assistants or other persons discharging or performing the duties of said comptroller.

When deputy to act. SEC. 76. The city attorney shall hold office for the term of two years and until his successor shall have been appointed and shall have qualified. In case of vacancy during said term a successor shall be appointed for the remainder of the unexpired term. In addition to all other duties prescribed by the provisions of this act, he shall be the legal adviser of the common council and all of the officers and boards of said city. He shall act as attorney and solicitor for the

Salary.

City attorney.

Vacancy.

Duties.

city in all legal proceedings in which it is interested, shall prosecute all offenses against the ordinance of the city, and shall attend the meetings of the different boards, when required by them. He shall from and after June first, A. D. nineteen hundred one, be ex officio member of the board of supervisors of Bay county, shall attend all meetings thereof, and be entitled to vote upon all matters that may be brought before said board and shall receive the same compensation therefor, to be audited by said board and paid by the county, as is authorized by law to be paid township supervisors.

SEC. 135. Whenever the council shall order the paying or macadamizing of any street or alley, or covering the same with pounded or broken stone, or the construction or building of any main sewer, the cost whereof is to be paid by a local tax assessed according to the benefits, it shall also direct that the several assessments therefor be divided into five equal installments, payable annually. When it shall order the construction or building of any lateral sewer or permanent sidewalk, or any sidewalk which by ordinance may be designated as a permanent walk it may order that the assessment levied for the cost of construction thereof be divided into not more than three equal installments, payable annually. All other local improvements shall be levied and collected in one installment as hereinbefore provided. When any assessment is ordered payable in installments, a tax roll for such improvement shall be made out by the comptroller, showing in separate columns the amount of each installment, as provided for by the common council. Such tax roll shall be delivered to the city treasurer and by him retained for the period of thirty days from and after the first day of the next calendar month after the delivery of such roll to him, during which time he shall receive all taxes thereon that may voluntarily be paid to him, at which time said roll shall be delivered to the comptroller, who shall attach his warrant thereto and deliver said roll to the treasurer, commanding him in said warrant to collect, on or before two calendar months, the first installment of said tax roll, with interest thereon at the rate of one per cent per month, or fraction of a month. He shall further command said treasurer to make collections of each installment, as provided in the resolution ordering the same, with interest thereon at the rate of five per cent per annum, from the date of said warrant to the time of the installments, respectively, become due and payable, unless sooner paid, in which case interest shall be commuted and collected to the time of payment; after each installment shall become due and payable, to add thereto and collect one per cent interest for each month, or fraction of a month, from the time each installment shall become due and payable to the time such installment is transferred into the county roll. Each installment of such assessment shall become due and payable as follows: The first, at the date of the warrant; the second and third, or more as the case may be, in one, two, three or more

How assessments for paving, etc., divided.

Assessments for sewer, etc.

Tax roll for improvements.

To whom tax roll delivered.

Interest.

When installments payable.

Proviso. years, respectively, from the date of the warrant: **Provided** however, That any assessment may be paid to the city treasurer at any time before it shall become due and payable, with interest thereon at the rate of five per cent per annum from the date of the warrant to the time of payment: **Pro-**
Further **proviso.** **vided** further, That when an assessment is levied to be paid and collected in installments, the proceedings therefor shall be the same as upon assessment rolls, except that but one roll therefor shall be made, and the several installments shall be designated numerically, and entered in columns prepared for that purpose. Said roll shall be delivered to and returned by the treasurer, and proceedings had with reference to each of said installments, as though a roll had been prepared for each of said installments. At the expiration of the time provided for the collection of each installment, the comptroller shall make a transcript of so much of said installment as remains delinquent, with interest at the rate of one per cent per month, or fraction of a month, and the same proceedings had as provided in section one hundred thirty, until the same is transferred to the county tax roll, as provided in said section, and these shall be added to the city taxes in the county tax roll.

Warrant. **Sec. 152.** To such city tax roll the comptroller shall annex a warrant signed by him, commanding the treasurer to collect, from the several persons named in said roll, the several sums mentioned in the last column in said roll, opposite their respective names, and to retain the same in his hands for the purposes therein specified, and to return said roll to said comptroller on the first day of November next following. Said warrant may be in the following form:
Form of **warrant.** To the treasurer of Bay City: You are hereby commanded to collect, from the several persons named in the said roll, the several sums mentioned in the last column in said roll opposite their respective names, and retain the same in your possession for the following purposes:

For city funds.....\$
 For school funds.....\$
 For highway funds, first ward.....\$
 For highway funds, second ward.....\$
 For highway funds, third ward.....\$
 For highway funds, fourth ward.....\$
 For highway funds, fifth ward.....\$
 For highway funds, sixth ward.....\$
 For highway funds, seventh ward.....\$
 For highway funds, eighth ward.....\$
 For highway funds, ninth ward.....\$
 For highway funds, tenth ward.....\$
 For highway funds, eleventh ward....\$

You are further commanded to return said roll to me on the first day of November next.

Dated,.....

G..... R.....,
 Comptroller.

The taxes thus assessed upon personal property shall become at once a lien thereon, and shall take precedence on any sale, transfer, assignment, chattel mortgage, levy or other lien, on such personal property, executed or made on or after the second Monday in April, except where such property is actually sold for the supply of customers in the usual and regular course of trade: Provided, That if any person shall pay or tender to the treasurer the tax upon the amount assessed upon and against any personal property, based upon the rate per cent of taxation of the preceding year, before the board of review shall meet for the current year and for which the tax sought to be paid is assessed, the personal property so assessed shall be divested of any lien for such tax, and the board of review shall be thereby precluded from increasing the amount of the assessment of such personal property. If when the rate for the current year is determined, it shall prove to be less than the rate paid pursuant to the foregoing, then in such case the excess, upon demand, shall be repaid to the person or persons paying such tax. The amount so assessed upon said city tax roll upon real property shall, as soon as said city tax roll is approved by the board of review, become a lien upon such property, and the lien upon such real and personal property for such amounts, and for all interest and charges thereon, shall continue until the payment thereof. Said city tax roll and warrant shall be delivered to said treasurer, on or before the twentieth day of August.

Taxes become
a lien.

Proviso.

Excess.

Time taxes
continue a
lien.

Sec. 198. The city constables shall have the powers and perform the duties of township officers elected under the general laws of this State, subject to the provisions of this act; and the police shall have the power to serve and execute all process issued by the police justice. The justices of the peace of said city shall have jurisdiction in all civil cases where the plaintiffs, or any of them, or the defendants or any of them reside in the county of Bay, and shall have exclusive jurisdiction over any cause or proceeding where both parties to the same reside in said Bay City, and over any cause or proceeding where the parties defendant or any of them reside in said Bay City, and the plaintiff or plaintiffs shall be non-residents of said Bay county, at the time of commencement of any such cause or proceeding. No justice of the peace of any other city or of any township in the county of Bay shall have jurisdiction over any civil cause or proceeding where both parties to the cause or proceeding reside in the city of Bay City, when the parties defendant or any of them reside in the city of Bay City and the plaintiff or plaintiffs, shall be non-residents of said Bay county, at the time of commencement of any such cause or proceeding, and any such non-resident plaintiff or plaintiffs of Bay county, shall bring action before one of the justices of the peace of said city, when the defendants or any of them reside in said city of Bay City.

Powers and
duties of
constables.

Police.

Jurisdiction
of justices of
the peace.

Process issued against city.	SEC. 213. All process issued against said city shall run against said city in the corporate name thereof, and such process shall be served by leaving a true and attested copy of such process with the mayor or recorder at least ten days before the day of appearance mentioned therein. No process shall issue or any proceedings be had or taken to make or cause said city to be made a garnishee defendant in any suit or action. The said city shall not be required to give any bond or furnish any security for costs in any action at law, or suit in chancery or for the removal thereof by appeal or otherwise to appellate court. It shall not be necessary to pay or tender any fees whatever to any witness subpoenaed on the part and behalf of said city in any action at law, or suit in chancery, but such witness, upon due service upon him of a subpoena, shall be bound to attend as if the fees allowed by law had been duly paid him. All such fees shall be allowed and paid by the common council upon the recommendation of the city attorney: Provided, That no witness fee shall be allowed or paid to any city officer or employee receiving a stated daily, weekly, monthly or yearly salary, for attendance as a witness in any cause on behalf of said city, unless such attendance shall create a diminution of such salary.
Witness fees.	
Proviso.	
Section repealed.	SEC. 2. That section one hundred forty-two as amended by an act approved May twenty-third, nineteen hundred one, be and the same is hereby repealed.
Sections added.	SEC. 3. That three new sections be added to said act to be known as sections seven a, forty-four and forty-five, and to read as follows:
Board of registration.	SEC. 7a. The aldermen of the city shall constitute the board of registration of said city of which the president of the council shall be chairman; said board shall be so divided and classified that not less than two members thereof, shall be assigned to each voting precinct in the city: Provided, That in case of two or more voting precincts in any ward, any vacancy in the office of alderman, the sickness or absence of any alderman or his refusal to serve, the chairman shall in writing immediately appoint a sufficient number of persons until two persons shall be assigned to each voting precinct from; first, the board of assessors; second, the board of public works and third the supervisors: Provided further, That no alderman or supervisor shall be assigned to any ward other than that in which he resides. In all other respects the duties and powers of said board of registration shall be such as are now provided or shall hereafter be provided by the general statutes of the State, governing such board in municipal corporations, except as herein otherwise provided.
Further proviso.	
County roads.	SEC. 44. In case any public street or highway, or any portion of any public street or highway within the corporate limits of Bay City, shall be made or declared a county road by the county road commissioners of Bay county, the com-

mon council shall have the power and authority to make any agreement with said county road commissioners, as to the kind and character of pavement, stone or macadam, the manner of improvement which shall be made or constructed on such street or highway or portion of said street or highway, and in such case said common council shall also have the power and authority to agree with said county road commissioners upon the part or portion of the total cost of such pavement, stone, macadam, or other improvement which shall be paid or borne by said county road commissioners and city of Bay City, respectively: **Provided, That** the portions of the cost of such improvement on any public street or highway which is to be chargeable to Bay City, shall be assessed upon and collected from the property specially benefited thereby in the manner provided in the city charter for similar cases of special assessments; and the proportion chargeable for the construction of street intersections shall be paid from the ward funds as in other cases: **Provided further, That** in case of any such street or public highway being adopted and made a county road by the county road commissioners, the said city of Bay City shall retain full and complete control and jurisdiction over all the sidewalks on such streets, and over all the other parts and portions of such streets, except the roadbed or portion which has been paved, stoned or macadamized. **Proviso.**

Sec. 45. No person shall be permitted to connect or tap into, or use any main or lateral sewer, who has not contributed to, or whose property (which is desired to be drained pursuant to such permission) was or is not liable or chargeable for any portion of the cost of construction thereof, except on the payment into the city treasury of such sums of money, and upon such terms and conditions as shall be deemed reasonable by the common council: **Provided, That** the payment of such money and the compliance with such terms and conditions, shall not in any way be deemed or construed as a release from, or waiver of payment of so much of the cost of construction of any main or lateral sewer, thereafter constructed, as might have been assessable upon and against the property drained or benefited by such permission, had such permission not been given. **Persons permitted to tap certain sewers.**

This act is ordered to take immediate effect.

Approved June 6, 1901. **Proviso.**

[No. 467.]

AN ACT to amend sections one and five of act number three hundred seventy-two of the local acts of eighteen hundred ninety-three, entitled "An act to provide for placing on the retired list on reduced pay members of the Metropolitan police force of the city of Detroit, who shall have become disabled or incapacitated while in active performance of official duty, and members of said force and persons in the employ of the police board of the city of Detroit who after twenty-five years of faithful continuous service shall have become permanently incapacitated from performing regular or active duty," as amended by act number four hundred forty of the local acts of eighteen hundred ninety-five, approved May twenty-fourth, eighteen hundred ninety-five.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections one and five of act number three hundred seventy-two of the local acts of eighteen hundred ninety-three, entitled "An act to provide for placing on the retired list on reduced pay members of the Metropolitan police force of the city of Detroit, who shall have become disabled or incapacitated while in active performance of official duty, and members of said force and persons in the employ of the police board of the city of Detroit, who, after twenty-five years of faithful continuous service, shall have become permanently incapacitated from performing regular or active duty," as amended by act number four hundred forty of the local acts of eighteen hundred ninety-five, approved May twenty-fourth, eighteen hundred ninety-five, be and the same are hereby amended so as to read as follows:

Police
retired.

SECTION 1. Whenever a member of the Metropolitan police force of the city of Detroit shall have become disabled or incapacitated while in the active performance of official duty, and whenever any member of said force, who has performed faithful service as such member for a period of not less than twenty-five years, shall have become permanently incapacitated from performing such regular active duty, he may be retired by the commissioner of police, from regular active service, and placed upon the retired list, and when so retired shall be paid annually four hundred and eighty dollars in equal monthly payments of forty dollars, if the surgeon of said force or some other competent physician, authorized by said commissioner of police and acting in the premises shall certify to said commissioner in writing, that such officer is permanently, physically or mentally incapacitated from regular active duty, which finding shall be approved by said commissioner, and duly recorded: Provided, That no member of said force shall be so retired until he has been duly notified by

How paid.

Proviso.

said commissioner of his intention to so retire him, and he has had opportunity of being heard in opposition thereto: And provided further, That any member of said force deeming himself entitled to the benefits of this act, may make a written application to said commissioner for such benefits, and it shall be the duty of said commissioner to hear and determine such application. Further proviso.

SEC. 5. All rewards and proceeds of gifts and emoluments that may be allowed by the commissioner of police to be given or paid on account of extraordinary services of members of the police force, all unclaimed money, proceeds arising from the sale of unclaimed property, all fines imposed by the commissioner of police upon members of the force for violation of rules, and the money now in the police life and health insurance fund, which is hereby transferred, and one per cent of the salaries of all members of the Metropolitan police force, shall be paid into the Detroit city treasury, and used for the payment of salaries provided for in this act. Any additional moneys needed for the payment of persons on the retired list shall be estimated for, and raised by taxation, in the same manner as the other expenses of maintaining the police force of the city of Detroit: Provided, That said one per cent of the salaries of all members of said police force shall be deducted from such salaries from and after the first day of July, A. D. nineteen hundred one, but no part of such sums shall be used or paid for the purpose of this act until the beginning of the fiscal year, commencing July first, A. D. nineteen hundred two. Disposition of rewards, gifts, fines, etc.

This act is ordered to take effect June first, nineteen hundred one. Additional moneys.

Approved June 6, 1901. Proviso.

[No. 468.]

AN ACT to repeal section four of chapter three and to amend section three of chapter one; section three of chapter two; sections one, three, seven, eleven and eighteen of chapter three; sections seven, eight, thirteen, twenty-two, twenty-three, twenty-four, twenty-seven, twenty-eight, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty and forty-two of chapter five; sections seven and eighteen of chapter six; section one of chapter seven; subsection seven of section one of chapter nine; section eight of chapter ten; sections seven and eight of chapter twelve; sections four and five of chapter nineteen; section four of chapter twenty; sections two, three, four, seven, eight and nine of chapter twenty-one, and sections six, eleven, twelve and eighteen of chapter twenty-three of an act entitled "An act to incorporate the city of Sault Ste. Marie and to repeal an act entitled 'An act to reincorporate the village of Sault Ste. Marie,' approved May the twenty-ninth, eighteen hundred and seventy-nine, as amended," being act number five hundred and thirty-three of the local acts of eighteen hundred and eighty-seven, approved June the twenty-first, eighteen hundred and eighty-seven, as amended by the several acts amendatory thereof.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That section three of chapter one; section three of chapter two; sections one, three, seven, eleven, and eighteen of chapter three; sections seven, eight, thirteen, twenty-two, twenty-three, twenty-four, twenty-seven, twenty-eight, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty and forty-two of chapter five; sections seven and eighteen of chapter six; section one of chapter seven; subdivision seven of section one of chapter nine; section eight of chapter ten; sections seven and eight of chapter twelve; sections four and five of chapter nineteen; section four of chapter twenty; sections two, three, four, seven, eight and nine of chapter twenty-one and sections six, eleven, twelve and eighteen of chapter twenty-three of an act entitled "An act to incorporate the city of Sault Ste. Marie and to repeal an act entitled 'An act to reincorporate the village of Sault Ste. Marie,' approved May the twenty-ninth, eighteen hundred and seventy-nine as amended," being act number five hundred and thirty-three of the local acts of eighteen hundred and eighty-seven, approved June twenty-first, eighteen hundred and eighty-seven, as amended by the several acts amendatory thereof, be and the same are hereby amended so as to read as follows:

CHAPTER I.

SEC. 3. Said city shall for the time being be divided into four wards, viz.: First, second, third and fourth. Division
into wards.

First. The first ward shall embrace that portion of said city described as follows, to wit: Fractional sections seventeen, sixteen, nine, ten, eleven, one and two, and entire sections twelve, thirteen, fourteen and fifteen of township forty-seven, north, range one west, and the west half of fractional section six and the west half of section seven and that part of the east half of section seven lying west of Pine street from Easterday avenue to Ashmun street, and west of Ashmun street from Pine street to Emmet avenue, and the west half of section eighteen, town forty-seven north, range one east: Also the following described territory: Beginning at a point in the national boundary line in the St. Mary's river opposite to and in range with the center line of Douglas street extended; thence southerly to and along the center line of Douglas street to the center line of Spruce avenue; thence east along the center line of Spruce avenue to a point opposite the center line of Elizabeth street; thence southerly along the center line of Elizabeth street to the center line of Peck street; thence westerly along the center line of Peck street to the center line of Pine street, the same being the east line of the west half of fractional section six, town forty-seven north, range one east; thence northerly along said line to the intersection thereof with the national boundary line in St. Mary's river; thence east along the said national boundary line to the place of beginning; First ward.

Second. The second ward shall consist of the following described territory: The east half of section seven, excepting that portion lying west of Pine street from Easterday avenue to Ashmun street and west of Ashmun street from Pine street to Emmet avenue; and the east half of section eighteen, town forty-seven north, range one east: Also that tract bounded as follows: Beginning at a point in the national boundary line opposite to and in range with the center line of Douglas street; thence southerly to and along the center line of said Douglas street to the center line of Spruce avenue; thence east along the center line of Spruce avenue to a point opposite the center line of Elizabeth street; thence southerly along the center line of Elizabeth street to the center line of Peck street; thence westerly along the center line of Peck street to the center line of Pine street; thence southerly along the center line of Pine street to Easterday avenue, the same being the section line between sections six and seven, town forty-seven north, range one east; thence easterly along the center line of Easterday avenue to the center line of Bingham avenue; thence northerly along the center line of Bingham avenue extended to the national boundary line in Second ward.

- the St. Mary's river; thence westerly along the national boundary line to the place of beginning;
- Third ward. Third. The third ward shall consist of the following described lands: The west half of the west half of section eight, and the west half of the west half of section seventeen, town forty-seven north, range one east: Also the following described lands: Beginning at a point in the national boundary line opposite to and in range with the center line of Bingham avenue; thence southerly to and along the center line of Bingham avenue to the center line of Easterday avenue; thence easterly along the center line of Easterday avenue to the center line of Seymour street; thence northerly along the center line of Seymour street extended to the national boundary line; thence westerly along the national boundary line to the place of beginning;
- Fourth ward. Fourth. The fourth ward shall constitute the remaining territory of the city described in section two of this act.

CHAPTER II.

REGISTRATION.

- Board of registration.
Sessions of board.
- SEC. 3. The aldermen of each ward shall constitute the board of registration therein, except as otherwise provided in this act. On the third Wednesday next preceding a general election, and on the third Tuesday next preceding the day of the regular city election, and on such other days as shall be appointed by the council, not exceeding three days in all, which shall not be less than three days next previous to any such election, the several boards of registration for the city, except as in this act otherwise provided, shall be in session at such places in their several wards as shall be designated by the common council of the city, from eight o'clock in the forenoon until eight o'clock in the afternoon, for the purpose of completing the lists of the qualified voters of such wards; during which session it shall be the right of each person then actually residing in the ward or voting district, and who at the then next approaching election may be a qualified elector, and whose name is not already registered, to have his name entered in the register of such ward or voting district: Provided, That such registration shall not be necessary for any special election held in said city. At least two weeks previous to the commencement of any such session of the several boards of registration the council shall fix the place in each ward or voting district of said city where the boards of registration will meet, and at least eight days before such session of the board the city recorder shall give notice by hand bills posted in at least ten public places in each ward or voting district, and by publication in one or more newspapers printed in the city, of the time and place in each ward or voting district when and where the board of
- Proviso.
- Notice of sessions.
- How notice given.

registration for such ward or voting district will meet, which hand bills shall also contain a true copy of the list of names in the register for each ward. Except as in this act otherwise provided the general laws of this State relating to the registration of electors in cities shall apply to the registration of electors in this city. If by reason of a change of the boundaries of any ward, or of the formation of a new ward or other cause there shall not be sufficient number of aldermen representing such ward to constitute a board of registration of two persons the council shall supply the vacancies or appoint a board of registration for the ward. The board of registration may in all cases appoint a person to act as clerk of the board of registration, while in session, at a compensation not to exceed two dollars for each day actually employed, which clerk shall take the constitutional oath of office which oath either of the members of the board of registration may administer.

General laws applicable.

When council may supply vacancies.

Appointment and compensation of clerk.

CHAPTER III.

SECTION 1. The officers of the city shall be a mayor, one comptroller, who shall be ex officio assessor of the city, one recorder, one treasurer, who shall be ex officio collector and one justice of the peace, who shall be elected by the qualified voters of the whole city, voting in their respective wards.

City officers.

SEC. 3. The following officers shall be appointed by the council, viz.: A city attorney, city engineer, chief of fire department, one health officer, one or more fire wardens, one pound master, in the absence of the existence of the board of police commissioners such a police force as may be necessary, and such other officers whose election or appointment is not herein provided for, as the council may deem necessary for the execution of the powers granted in this act. The powers and duties of such officers, not provided for in this act, shall be provided by ordinance.

Appointed officers.

SEC. 7. The justice of the peace shall be a member of the bar of the county of Chippewa, duly admitted to practice in the courts of this State and a resident of said city, and shall hold office for four years from the first day of May after his election and until his successor is elected and qualified. He shall not practice in any of the courts of this State, nor engage in private practice either as counsel or otherwise during his term of office: Provided, That on the first Monday of April, nineteen hundred two, and every four years thereafter, and at no other time, except as hereinafter provided the electors of the city shall elect a justice of the peace: Provided further, That at the first regular meeting of the council after this act is approved and takes effect, the mayor of said city shall appoint some person eligible under this act to serve in such office until May first, nineteen hundred two.

Justice of peace, qualifications, term of office, etc.

Proviso.

Further proviso.

SEC. 11. The justice of the peace appointed or elected in said city shall, before entering upon the duties of his office,

Oath of office.

take and file an oath of office with the clerk of the county of Chippewa, in which said city is located. All other officers elected or appointed in the city shall within ten days after receiving notice of their election or appointment, take and subscribe the oath of office prescribed by the constitution of the State and file the same with the clerk of the city.

Who to fill
vacancies.

Sec. 18. In case of the death, removal from office, neglect to qualify, removal from the city or ward for which he has been elected, or permanent disability to perform the duties of his office, of any officer holding by election, the council shall appoint some person eligible under this act to serve in such office until the next annual election and his successor is elected and qualified, and at such annual election the vacancy shall be filled for the residue of the official term. The council shall also fill any vacancy in office held by appointment under this act.

CHAPTER V.

Duties of
recorder.

Sec. 7. The recorder shall keep the corporate seal, and all the documents, official bonds and papers, files and records of the city not by this act entrusted to some other officer. He shall be clerk of the common council, shall attend its meetings, and shall make and preserve a record of all its ordinances, resolutions and proceedings in proper books to be provided therefor, and shall sign and register all licenses granted; he shall, when required, make and certify under the seal of the city, copies of the papers and records filed and kept in his office, for which services, except when rendered for the city, he may demand and collect such fees as may be allowed by the council, and such copies shall be evidence in all courts and places and proceedings of the matters therein contained to the same extent as the original would be. He shall possess and exercise the powers of township clerks so far as the same are required to be performed within the city, and he shall have authority to administer oaths and affirmations. The recorder shall also be a member of the board of supervisors of Chippewa county, and shall be entitled to the same compensation for attending said board of supervisors as is allowed by law to other members of the board, to be paid in the same manner. The recorder shall be entitled to a fee of fifty cents for each and every license issued by him, to be paid by the person obtaining the same.

To exercise
powers of
township
clerk.

To be member
of board of
supervisors.

License fee.

To draw
warrants in
payment of
claims, etc.

Sec. 8. He shall draw his warrant upon the treasurer for the payment of all claims allowed and ordered paid by the common council, and for salaries fixed by the common council or other board of said city when the same is due and payable, which warrant shall be countersigned by the mayor and approved in writing by the comptroller, designating thereon the fund from which payment is to be made, and to take proper

receipt therefor; but no warrant shall be drawn upon any fund after the same has been exhausted.

SEC. 13. The city treasurer shall have the custody of all moneys, bonds, mortgages, notes, leases and evidences of value belonging to the city. He shall receive all moneys belonging to and receivable by the corporation, and keep an account of all the receipts and expenditures thereof. He shall pay no moneys out of the treasury except in pursuance of and by authority of law, and upon warrants signed by the recorder and countersigned by the mayor, and approved by the comptroller, which shall specify the purposes for which the amounts thereof are to be paid. He shall keep an account of and be charged with all taxes and moneys appropriated, raised or received for each fund of the corporation, and shall keep a separate account of each fund, and shall credit thereto all moneys raised, paid in or appropriated therefor, and shall pay every warrant out of the particular fund constituted or raised for the purpose for which the warrant was issued, and having the name of such fund endorsed thereon by the recorder. He shall further perform all duties relative to the levying and collection of taxes required by the general laws of the State.

Duty of treasurer.

CITY ENGINEER.

SEC. 22. The city engineer shall have and exercise within the city like powers and duties as are conferred by law upon the county surveyor and the like effect and validity shall be given to his official acts, surveys and plats, as are given by law to the acts and surveys of county surveyors. He shall make all necessary plats, maps, surveys, diagrams, plans, specifications and estimates required by the council or board of public works, relating to the public improvements, buildings, grounds and streets of the city and all other city matters. He shall keep a record of all monuments, field notes, minutes and surveys made within the city in books to be provided for the purpose, which shall be the property of the city and shall be turned over by him with all other records, files, minutes and proceedings made by him in the discharge of his duties, to the comptroller of the city at the expiration of his term of office, and as a condition precedent to his entering upon the discharge of the duties of his office, he shall execute a bond to said city in the penal sum of two thousand dollars with two sufficient sureties thereon, to be approved by the common council, conditioned for the faithful discharge of the duties of his office. He shall also keep a record of all sewers, water mains or pipes, gas mains, conduits or any underground work in the streets, alleys or public grounds of the said city. Such records to show clearly all connections, branches or special fittings of said underground work. He may, with the approval of the board of public works, employ such assistance as is in his discretion neces-

City engineer, powers and duties.

Plats, surveys, etc.

Records.

Bond.

To employ assistance.

sary, to properly discharge the duties of his office and the employment of such assistance shall be paid at the rate and from such fund or funds, weekly or monthly, as the board of public works may designate.

GENERAL SUPERINTENDENT OF PUBLIC WORKS.

Superintendent of public works, duties of.

SEC. 23. It shall be the duty of the general superintendent of public works to perform, or cause to be performed, all such labor, repairs and improvements upon the highways, streets, alleys, sidewalks, bridges, reservoirs, drains, culverts, sewers, public grounds and parks within the city as the council shall direct to be done, by or through the board of public works and to oversee and do whatever may be required of him in relation thereto by said board or the common council.

Report.

SEC. 24. He shall make a report to the board of public works in writing, and on oath, once in each week, giving an exact statement of all labor performed by him, or under his supervision, and the charges therefor, an estimate of the amount of material used and the expense thereof, and the street or place where such material was used or labor performed; and further showing the items and purposes of all expenses incurred since his last preceding report, and no payment for labor or services performed or for expenses incurred by him shall be made until reported on oath as aforesaid.

JUSTICE OF THE PEACE.

Justices of the peace, jurisdiction of, etc.

SEC. 27. The justice of the peace of the city, except as herein provided, shall have and exercise therein and within the county of Chippewa the same jurisdiction and power in all civil and criminal matters, causes, suits and proceedings, and shall perform the same duties in all respects, as far as occasion may require, as are or may be conferred upon or required of justices of the peace by the general laws of the State, and the proceedings in all suits and actions before said justice shall, except as otherwise provided in this act, be according to and governed by the general laws applicable to justice courts and justices of the peace, and said justice shall, except as otherwise provided in this act, in the exercise of the powers and duties conferred upon or required of him, be governed by the general laws of this State relative to justices of the peace, and said justice shall have jurisdiction of civil cases where either of the parties thereto reside in the county of Chippewa. Said justice may from time to time make and adopt rules of practice for the conduct of the business of said court, not inconsistent with the general laws of the State or the charter and ordinances of said city, which rules shall be entered upon the civil docket of said justice and signed by him: Provided, That before any civil suit (except in proceedings in garnishment and other proceedings ancillary to any suit pending before said justice) shall be commenced,

Rules of practice to be consistent with general laws.

Proviso.

the party bringing the same shall pay to said justice the sum of two dollars as an entry fee, and before the trial of any cause, the further sum of one dollar as a trial fee, which shall be in lieu of all justice fees and which shall belong to the city of Sault Ste. Marie, and all such fees shall be turned over to the city treasurer at the end of each week. Such fees may be taxed as part of the plaintiff's costs if he prevail in the trial. If a jury shall be demanded by either party to any such suit, such party shall file a written demand therefor with said justice and at the same time pay the lawful fees of the jurors: .Provided, That in case both parties demand a jury, Proviso. jury fees shall be received from the party first making the demand only, unless such demand be waived or withdrawn: .Provided further, That prosecutions for violations of any of Further proviso. the ordinances of said city, which are not criminal offenses, either at the common law or under any of the general laws of this State, shall be tried summarily before the said justice of the peace without a jury. Jurors for the trial of all civil Selection of jurors. and criminal cases tried before said justice of the peace shall be selected in the following manner: On the first Monday in May in each year, or as soon thereafter as may be, the comptroller, recorder and treasurer of the city shall meet at the office of the recorder and select the names of not less than twenty-five nor more than fifty qualified voters from each ward in said city, whose names appear on the poll lists as electors in such wards, and otherwise having the qualifications of jurors under the general laws, to act as jurors therein during the ensuing year: .Provided, That to select the names Proviso. of persons to act as jurors until the first Monday in May, nineteen hundred two the comptroller, recorder and treasurer of said city shall meet to proceed as herein provided to select said names on the first Monday in June, nineteen hundred one. The names of such persons shall be placed on slips of paper and placed in a box to be provided by the recorder and kept by said justice. At the request of the officer or person directed by said justice to have charge of the drawing of a jury for the trial of any cause, the justice shall in the presence of the parties or their attorneys, or other persons representing them in case they desire to be present, draw from the box, without favor or selection eighteen slips containing the names of eighteen persons and hand the same when drawn to the officer or person having charge of the drawing thereof, who shall enter the names so drawn on a list, from which either party may strike off six names and in case of the absence or refusal of either party to strike off such names, the justice shall strike off for him six names from said list, and the justice shall thereupon issue a venire directed to any constable of the county or other officer authorized to serve the same, requiring him to summon the six persons whose names shall remain on the list as jurors for the trial of such cause, and the proceedings thereafter and the selection of talesmen shall be in accordance with the Manner of selecting.

general laws relating thereto. The slips containing the names of persons stricken from said list of eighteen shall be returned to said box and mixed among the other slips remaining therein. The slips containing the names of the six persons remaining after each party shall have stricken six from the list shall be placed in a separate box and not again used until the whole number of originally selected slips shall have been drawn, when in such case they shall be returned to the box, used in drawing and be used for the further drawing of jurors in the same manner as before, and at the time of each annual selection of the names of persons for jurors, the slips used the previous year shall be destroyed. The boxes in which such slips are kept shall be safely and securely kept at all times and no person shall have access thereto, except at the times and for the purposes herein provided.

Who to act
in absence of
justice.

SEC. 28. In the absence of said justice, or if for any reason he shall be disqualified or incapacitated from hearing any case or performing any duty of his office, the same shall be heard or performed by the probate judge of the county of Chippewa, or in case of his disability, then by the circuit court commissioner of said county, and said probate judge or circuit court commissioner when so acting, shall receive the compensation herein provided for said justice for the time actually engaged, which shall be paid by the city on the certificate of the clerk of said justice and the amount so paid shall be deducted from the salary of said justice.

Additional
powers of
justice.

SEC. 32. The said justice, in addition to his general powers as justice of the peace, shall have exclusive jurisdiction except as herein provided, to hear, try and determine all actions and prosecutions for the recovery or enforcing of fines, penalties and forfeitures for violations of this act, and for encroachments upon and injuries to any of the streets, alleys and public grounds within the city, except in cases where jurisdiction is given to some other court and to hear, try and determine all suits and prosecutions for the recovery or enforcing of fines, penalties and forfeitures imposed by the ordinances of the city, and to punish offenders for violations of such ordinances as in the ordinances prescribed and directed, subject only to the limitations prescribed in this act.

Justice clerk.

SEC. 33. The said justice shall appoint a clerk to be nominated "justice clerk," who shall be an elector of said city, and shall hold office during the pleasure of said justice, and in case of a vacancy in the office of clerk, arising from any cause whatever, said justice shall fill such vacancy by appointment as aforesaid. Said clerk before entering upon the duties of his office shall take the constitutional oath as required by other officers of the city and shall file the same with the recorder of said city. Said clerk shall have power generally to administer oaths and do all acts required of said justice of the peace except judicial acts.

SEC. 34. The said justice shall enter in the docket kept by him the title of all suits and prosecutions commenced or prosecuted before him for violations of the city charter or ordinances of the city, and all the proceedings, and the judgment rendered in every such cause, and the items of all costs taxed or allowed therein, and also the amounts and dates of payment of all fines, penalties and forfeitures, moneys and costs received by him on account of any such suit or proceeding. Such docket shall be submitted by him at all times to the examination of any person desiring to examine the same, and shall be produced by him to the common council whenever required. Justice docket.

SEC. 35. The council of the city shall provide a suitable court room and office for the accommodation of said justice of the peace and all necessary furniture, fuel, light, record books, blanks and stationery for the use of the said justice in connection with his office. What council to provide.

SEC. 36. At the first regular meeting of the council of the city in each month, said justice shall present a report on oath and in writing, which report shall be in three parts, one for all civil cases begun or finished during the preceding month; the title of each case, the amount of money paid into court in the course thereof and by whom paid and the disposition thereof; the second part of the report shall contain the name of every person against whom a prosecution has been commenced or judgment rendered during the preceding month for any of the fines, penalties or forfeitures for or on account of violations of any ordinance of the city, and the amount of all moneys received on account thereof or on account of any suit or prosecution, and the amount thereof paid to the treasurer of the city; the third part of said report shall contain the name of every person against whom a prosecution has been commenced or judgment rendered for any of the fines, penalties or forfeitures for or on account of violations of penal laws of the State, and the amount of all moneys received on account thereof and the disposition thereof. When to report to council.

SEC. 37. All moneys paid to said justice, except jury, officer and witness fees, and except all fines and costs recovered for the violation of the penal laws of this State, shall be for the use of the city and shall be paid weekly to the city treasurer, who shall give duplicate receipts therefor, one of which shall be immediately filed with the comptroller of the city: Provided, That all moneys collected in any case for or on account of services rendered by constables or other officers therein shall be for the use of such officers, and shall be immediately paid over to them. The expenses of prosecutions before said justice for violations of city ordinances shall be paid by the city in all cases where the same are not paid by the defendant, and the expenses of prosecutions for the violation of penal laws of the State shall be paid by the county of Chippewa. Certain moneys for use of city. Proviso.

Salary, how
paid.

SEC. 38. The said justice shall receive an annual salary of one thousand five hundred dollars to be paid out of the treasury of said city in monthly installments. The said clerk shall receive an annual salary of seven hundred and fifty dollars to be paid out of the city treasury in monthly installments. These salaries shall be in full compensation for all services performed by said officers in the discharge of the duties of their respective offices, and they shall make no charge to any person for any service required of them or either of them by this act, except as herein expressly provided.

Bond.

SEC. 39. Said justice, in addition to any other security required by law to be given for the performance of his official duties, shall, before entering upon the duties of his office, give a bond to the city in a penalty in the sum of one thousand dollars, with sufficient sureties to be approved by the common council of said city, conditioned for the faithful performance of the duties of justice of the peace within and for said city.

Certain offices
abolished, etc.

SEC. 40. At the expiration of the term for which each of the three present justices of the peace were elected, or whenever a vacancy shall occur in either of said offices, such office shall be and hereby is abolished and discontinued; the files, records and dockets belonging or appertaining to each of said offices hereby abolished and discontinued shall, at the expiration of the term for which any of said justices were elected, or when a vacancy shall occur in any of said offices, be filed with the justice of the peace, whose appointment or election is provided for by this act, and said justice shall be and hereby is authorized and empowered to issue execution upon any judgment or transcript of any judgment appearing upon said dockets in the same manner and with like effect as if judgment had been rendered by him. Upon the appointment or election and qualification of the justice of the peace, as herein provided, the office of police justice shall be abolished, and all files, records, dockets and other property belonging or appertaining thereto shall be immediately delivered to said justice of the peace, who is hereby empowered to complete any and all cases then pending before such police justice.

Compensation
of mayor and
aldermen.

SEC. 42. The mayor and aldermen of the city shall receive as full compensation for all the duties of their respective offices as follows: The mayor the sum of seven hundred fifty dollars per annum, payable monthly, and each alderman the sum of three dollars for each meeting of the common council at which they shall respectively be in attendance, except as herein otherwise provided, payable at the end of each year: Provided however, That the number of meetings of the council in one year for which pay shall be drawn, shall not exceed fifty-two: Provided further; That for services rendered as members of the board of supervisors of Chippewa county, they shall receive the same compensa-

Proviso.

Further
proviso.

tion as other members of the board, to be paid in the same manner: And provided further, That they and the city attorney shall also receive the sum of three dollars per calendar day for services on the board of registration and as inspectors of election and on boards of review, when actually serving thereon. The treasurer and constables shall receive such fees as are provided for in this act and by the general laws of the State, but in addition thereto the city treasurer and all other officers elected or appointed, except justice of the peace, shall receive such salary as shall be fixed by the common council of said city at the first regular meeting thereof in the month of March prior to the commencement of the term of such officers: Provided, That if the salaries shall not be fixed at that date the same shall be fixed as soon thereafter as may be.

Further
proviso.

Treasurer and
constable.

Proviso.

CHAPTER VI.

SEC. 7. The council shall prescribe the rules of its own proceedings and keep a record thereof. All votes on questions involving the expenditure of money or the passage of ordinances or the appointment or removal of officers shall be taken by yeas and nays and be so entered upon the journal as to show the names of those voting in the affirmative and those voting in the negative: Provided however, That the yeas and nays may be had upon any other question upon the demand of three aldermen. Within ten days after any meeting of the council all proceedings and votes taken thereat shall be published in one or more newspapers of the city.

Council to
prescribe
rules, etc.
How votes
on certain
questions
taken.

Proviso.

To publish
proceedings.

SEC. 18. The council shall audit and allow all accounts chargeable against the city, but no account, claim or contract shall be received for audit or allowance unless it shall be accompanied with an affidavit of the person rendering it to the effect that he verily believes that the services or property therein charged have been actually performed or delivered for the city; that the sums charged therefor are reasonable and just, and that to the best of his knowledge and belief, no set-off exists nor payment has been made on account thereof, except such as are endorsed or referred to in such account or claim, and every such account shall exhibit in detail all the items making up the amount claimed and the true date of each: Provided, That no such claim or account shall be audited or allowed by the common council except claims for personal labor and for expenditures rendered necessary in emergency cases, until the same in the manner and form hereinbefore provided shall have been filed with the comptroller of said city at least one week before such audit and allowance. It shall be a sufficient defense in any court to any action or proceeding for the collection of any demand or claim against the city that it has never been presented and verified as aforesaid, to the common council

Accounts,
how audited.

Proviso.

Defense in
action against
city for
accounts.

When city
liable for
damages,
etc.

When actions
to be com-
menced.

for allowance, or that the claim was presented without the affidavit aforesaid and rejected for that reason, or that the same had not been filed with the comptroller as hereinbefore provided, or that the action or proceeding was brought before the council had a reasonable time to investigate and pass upon it, and no order shall be drawn, signed, countersigned or paid unless the bill therefor is itemized, verified and filed, except as herein otherwise provided. And in no case shall the city be liable for damages for any injury to persons or property occasioned by any defect, or alleged defect, in any public street, lane, alley, park, sidewalk, bridge, culvert, public space or public building or public grounds within said city unless the person claiming such damage shall within thirty days next after such injury give written notice thereof to the common council giving the particulars and date of such injury, and shall within sixty days next after such injury present such claim to the comptroller of said city in writing and under oath stating the time, place, cause and manner of such injury and the facts connected therewith, and if known, the names of persons, if any, present when such injury was received, and the amount of damages claimed by reason of such injury. And all actions for the recovery of any damages for any such injury shall be commenced within one year after the date of such injury and not thereafter.

CHAPTER VII.

Ordinance,
style.

When to
take effect.

Proviso.

Ordinance
to grant
franchises to
be published.

SECTION 1. The style of all ordinances shall be, "the city of Sault Ste. Marie ordains." All proposed ordinances, excepting those granting special rights or privileges in the use of any streets or alleys of the city for a period exceeding one year, shall be presented and read at the first session of a regular meeting of the council, and shall require for their passage, a vote of a majority of all the aldermen elected, and no ordinance shall be passed before the next regular meeting, after the same shall have been presented and read to the council. All ordinances shall take effect in twenty days from the time of approval by the mayor, unless the time that such ordinance shall take effect shall be otherwise prescribed therein: Provided however, That when any ordinance imposes a penalty, it shall not take effect in less than twenty days from the date of its approval by the mayor. Any ordinance or resolution of the council, which proposes to grant to an individual, firm or corporation, any special rights or privileges in the streets or alleys of the city of Sault Ste. Marie or any contract which by its terms, is not to be performed within one year, or to extend the time that any existing franchises or contracts in street privileges remains in force, shall be presented and read at a regular meeting of the council, and thereafter shall be printed in some news-

paper of general circulation in the city of Sault Ste. Marie for a period [period] of two weeks and for at least one issue in each week at the expense of the person, firm or corporation applying for such franchise. Immediately after such publication, a printed copy of the proposed ordinance or resolution taken from the newspaper shall be filed with the city recorder, together with an opinion of the city attorney as to the legality of such proposed ordinance or resolution. The council shall vote on the passage of the same at the next regular meeting after such publication, and if such ordinance or resolution be passed by a vote of two-thirds of all the aldermen elect and shall be approved by the mayor within ten days thereafter, the same shall be considered duly passed.

CHAPTER IX.

SECTION 1. Seventh. To regulate and license all taverns and houses of public entertainment, all saloons, restaurants and eating houses; to designate by ordinance, bounds, limits and districts in said city within which the business of vending, selling or having for sale spirituous, vinous, malt or brewed liquors, or any other intoxicating liquors or mixtures thereof, shall be conducted and carried on, and to prohibit vending, selling and furnishing intoxicating liquors or mixtures thereof, except within the districts and limits in said ordinance appointed and limited for the sale thereof, and may provide for punishment for any violation of such ordinance; and no such districts and limits shall be changed or extended unless upon a signed petition to the common council of two-thirds of the property holders of the square or block to which said districts and limits are proposed to be extended. And no business mentioned in this section shall be carried on within two hundred feet of any school house or church building in said city.

To license
taverns, etc.

CHAPTER X.

SEC. 8. The council may at any time by a vote of two-thirds of the members elect abolish the office of city marshal and establish a board of police commissioners consisting of three electors of said city who shall serve without compensation, and shall be appointed at the same time as other appointive officers of the city. The full term of an appointed member shall be six years, but said members shall be subject to classification in such manner that one term shall expire every two years: Provided, That upon the establishment of said board of police commissioners there shall be appointed three members of said board, one for two years, one for four years, and one for six years from the first Monday in May

Board of
police com-
missioners.

Term of office.

Proviso.

To appoint chief of police.	of the year in which said board of police commissioners may be established. Appointments thereafter shall be made of one member every two years, except to fill vacancies, and each member shall hold over until his successor is appointed and duly qualified. In said board shall be vested the power of appointing a chief of police and such number of regular and special policemen as the council by resolution from time to time may deem necessary to preserve good order in said city. Said board shall have control of said police under such regulations as the council may prescribe by ordinance, and they shall exercise all the powers of removal or suspension of any regular or special policemen granted under the term of this act to the council. The chief of police shall, at all times, be subject to the directions of the board of police commissioners in conformity with the ordinances and laws of the city: Provided however, That he shall promptly obey and perform all lawful orders and directions of the mayor for the suppression of crime, preservation of order, protection of property and enforcement of the laws and ordinances of the city, and he shall exercise all the duties, and be vested with all the powers given to the marshal under the terms of this act, and the powers and duties of policemen shall be the same as are provided herein. And all the regular and special policemen shall be subject to the direction of the chief of police. The chief of police may be suspended from office by the mayor for wilful neglect of duty, or disobedience of orders from the mayor, and may be removed from office by the board of police commissioners for cause as in other cases.
To have control of police.	
Chief subject to commissioners.	
Proviso.	
When chief of police may be suspended.	
Salary of chief.	The salary of the chief of police and regular and special policemen may be recommended by the police commissioners and shall be fixed by the common council annually as in other cases.

CHAPTER XII.

Council to have power of board of health.	SEC. 7. The council shall also, in the absence of the board of health provided for in the following section, have and exercise within and for the city all the powers and authority conferred upon boards of health by the general laws of the State, so far as the same are applicable and consistent with this act, and they may enact such ordinance or ordinances as they may deem proper for regulating the proceedings and mode of exercising such powers and authority.
Board of health, who to establish, etc.	SEC. 8. The council, when deemed necessary, may establish a board of health for the city and appoint the necessary officers thereon and provide rules for its government, and invest it with such powers and authority as may be necessary for the protection and preservation of the health of the city, and in addition thereto said board of health when created shall have and exercise all the powers and authority conferred on boards of health by the State laws referred to
Power and authority.	

in the preceding section, so far as may be exercised consistently with the provisions of this act, shall appoint a health officer who shall be a well educated physician, and act as the sanitary adviser and an executive officer of the board, and when authorized by resolution of the common council shall appoint a sanitary officer and such other assistant as may be necessary to protect the public health. The salary of all such officers so appointed by said board of health to be fixed by the common council. Said board shall have control of said health officer and other assistants under such regulations as prescribed by the general law of the State. They shall exercise the power of removal of such health officer or assistants and shall audit all fees and charges of persons employed by them in the execution of the health laws, and their own regulations under such provisions as may be prescribed by the council and the council may prescribe penalties for the violation of any lawful order, rule or regulation made by said board of health, or any officer or officers thereof. The board of health shall consist of three members, who shall serve without compensation and shall hold office for the term of three years from and after the fourth day of July following their appointment and until their successors in office are appointed and qualified, and shall be so classified that one member shall be appointed each year. The board of health established under this action may be abolished at any time by a vote of all the aldermen elected.

Salary of
officers.

Members of
board.

CHAPTER XIX.

SEC. 4. The common council may determine that the whole or any part of the expense, including costs of estimates, plans, surveys, assessments and other expenses, incident thereto of any public improvement shall be defrayed by an assessment on the lands to be benefited thereby; and cause the same to be assessed for that purpose, either before or after said improvement has been begun or completed. In the proceedings and in the levying and collecting of such special assessment the method indicated by chapter twenty-one of this act may be followed so far as the same may be applicable: Provided however, That in acquiring lands by purchase or condemnation proceedings necessary for the opening, widening, extending, straightening or altering any highway, street or alley, or for any public purpose the following method may be followed: Before lands are purchased or condemnation proceedings ordered to obtain lands necessary for the opening, widening, extending, straightening, or altering any highway, street or alley, or to acquire real estate for any public purpose, the council shall designate what part or portion of the cost and expenses thereof shall be paid for by money raised by special assessment, and in general terms,

Expense of
public im-
provement,
how defrayed.

Proviso.

the district proposed to be assessed. The council may thereupon proceed to negotiate for the purchase of such land, or may order the commencement of condemnation proceedings. Upon obtaining a judgment in condemnation proceedings, or upon obtaining a contract for the purchase of such lands, or a deed therefor the common council shall by resolution, reciting the condemnation judgment or contract for purchase, or deed of conveyance direct the last mentioned resolution to be referred to the board of public works, and the board shall thereupon have an estimate made showing the cost of the land and the additional items of expense which have to that time and may thereafter be incurred in securing such land, and also the other matters required in the chapter on special assessments, to be certified by such board of public works to the council. The further proceedings to levy such special assessment shall be in all respects the same as those provided for in said chapter. In case the council shall have contracted, or may thereafter contract, to purchase land on time, for the above named purposes, for each of the several payments a special assessment may be levied not more than six months before such installment may become due. In such case no estimates nor preliminary resolutions shall be required for assessments for subsequent installments after the first. The comptroller shall be directed to make a special assessment roll of the district first assessed for the purpose of paying each subsequent installment of the cost of such improvement. The proceedings for review and collection of such roll shall be the same as in all other cases. All special assessment rolls of the city of Sault Ste. Marie heretofore levied are hereby confirmed as legal and valid assessments.

Vacating
streets, etc.

Objections to,
where filed.

SEC. 5. When the council shall deem it advisable to vacate, discontinue or abolish any street, alley, or public grounds, or any part thereof, they shall by resolution so declare and in the same resolution shall appoint a time not less than four weeks thereafter, when they will meet and hear objections thereto, notice of such meeting, with a copy of said resolution shall be published for not less than four weeks before the time appointed for such meeting in one of the newspapers of the city. Objections to such proposed act of the council may be filed, with the recorder, in writing, and if any such shall be filed, the street, alley or public ground, or any part thereof, shall not be vacated or discontinued, except by the concurring vote of three-fourths of all the aldermen elect, and the city shall not be liable for any damage to any person or persons or property by reason of the vacation of any street or portion thereof in said city.

CHAPTER XX.

SEC. 4. If the owner or occupant of any lot or premises shall fail to construct or maintain any particular sidewalk, as mentioned and prescribed in the last two preceding sections, and shall fail to keep the same in repair, or to remove the snow, ice and filth therefrom, or to remove and keep the same free from obstructions and encroachments, incumbrances or other nuisances, or shall fail to perform any other duty required by the council in respect to such sidewalk, within such time and in such manner as the council shall require, the council may cause the same to be done, and such sidewalk to be constructed or repaired under the direction of the board of public works at the expense of such owner or occupant. And the council may provide by ordinance for the assessment and collection of the cost thereof on the lots and premises adjacent to and abutting on such walk, and against the owners and occupants thereof.

Construction
of sidewalks.

CHAPTER XXI.

SEC. 2. When the council shall deem it advisable to make any public improvements or repairs, and defray the whole or any part of the cost and expense thereof by special assessment, they shall, except in cases otherwise provided, so declare by resolution, in which resolution shall be stated in general terms the improvement or repairs to be made and what part or portion of the cost and expense thereof it is proposed to pay by special assessment, and the number of annual installments into which the same is to be levied, not exceeding five installments, and what part or portion of the cost thereof, if any, it is proposed to pay from the general funds of the city, and also in general terms the district which in the opinion of the council shall be assessed.

Improve-
ments paid
by special
assessments.

SEC. 3. Upon the passage of said resolution the recorder shall deliver to the secretary or president of the board of public works a certified copy of the same, and it shall be the duty of the board of public works, if the improvement has not already been completed, to forthwith have made a reliable estimate of the cost of the proposed improvement or repairs, and if the improvement has been completed then a detail statement of the actual cost of such improvement or repairs, and also an accurate description of the district which the council shall have designated in general terms as the district to be assessed. In case the board of public works on examination shall deem that any other premises or territory than that designated by the council will be benefited by said improvement or repairs, and should be assessed therefor, or that portions of the district suggested by the council, should

Estimate
or detailed
statement
of cost to be
made.

When other
property
benefited by
improvement,
etc.

not be assessed, they shall so report to the council with an accurate description of the district which, in their opinion, should be assessed, and at the same time the board shall have prepared a statement showing the assessed valuation of the property in the special assessment district as proposed by the council, or as modified and recommended by the board of public works, as shall appear in the last preceding assessment roll of the city. In preparing said estimates and the description of the proposed special assessment district and the statement of the valuation of the property therein, the board shall receive from the comptroller and city engineer, and all other officers of the city, such assistance as it shall be in their power to give, and shall have access to the files and records in their respective offices necessary to make their work accurate and complete. On the completion of such estimates or detailed statement of the cost, and description and statement of valuation, the same shall be certified and returned to the city council, and as soon as convenient upon the receipt thereof the council shall by resolution set a time of meeting, at which time they will consider and take action upon said report. The recorder shall thereupon have published in at least one of the newspapers published in said city a notice which shall state in general terms the improvement or repairs made or proposed to be made, and the district proposed by the council and recommended by the board of public works as the special assessment district; also the amount of the estimate, or of the detail statement of the cost, of the improvement or repairs, and the part or portion thereof proposed to be levied by special assessment, and the number of annual installments into which it is proposed to levy such assessment; also the time of the meeting set by the council for considering and taking action upon said matter. Such notice shall be published in some newspaper published in said city at least one week prior to the time appointed for considering and taking action on said matter.

Estimates, etc., to be certified.

Notice of improvement.

When published.

When report considered.

When council may determine to make improvement.

SEC. 4. At the time appointed to consider and take action upon said matter, the council shall, if there is a quorum present, consider the said report of the board of public works, and shall hear and consider any suggestions, remonstrances or petitions in reference to the suggested improvement or repairs, the amount to be raised by special assessment, and the district or property to be assessed. If no quorum or number sufficient for its passage shall be present at the meeting of the council at which it was determined to consider said matter, then the council shall consider and determine the same at any regular meeting of the council thereafter at which there shall be a quorum. Unless a remonstrance against such proposed improvement or repairs and the proposed assessment therefor shall be presented to the council, signed by the persons representing not less than one-half of the taxable property of the proposed assessment district, the council may,

by a vote of two-thirds of the members elect, determine to make such public improvement or repairs, and may levy, by special assessment, that part or portion of the cost thereof which they shall have proposed to levy by special assessment in their preliminary resolution, or such other portion of the cost and expense thereof and upon such assessment district as they may then by resolution determine. In case such a remonstrance is presented it shall require the concurrent vote of all of the aldermen elect to adopt the resolution ordering such improvement and special assessment. The resolution by which the special assessment is ordered levied, except in cases provided for in section fourteen of this chapter, shall state the improvement or repairs to be made, and what portion of the cost and expense thereof shall be paid by special assessment, the number of annual installments into which the same is to be levied, not exceeding five, and the district or property proposed to be assessed. A certified copy of this resolution shall be forthwith given to the comptroller, and he shall thereupon prepare a special assessment roll, in which roll he shall set down the descriptions of the several parcels of land contained in the special assessment district described in said resolution; also opposite each of the said descriptions the names of the owners and occupants thereof, so far as known to the comptroller, and the valuation of each of the said parcels, as appears in the last preceding general assessment roll of the city. And he shall levy against each of the said several parcels, and spread upon the said roll, such portion of the total amount ordered to be levied as in his opinion shall be proportionate to the benefits which each of said parcels will receive by reason of the improvement or repairs. The entire amount assessed against any description shall be extended on said roll opposite such description in a column for that purpose headed "total assessment."

What resolution to state.

Special assessment roll.

SEC. 7. After the assessment roll shall be so approved, if it has been determined by the council that the cost and expense of such improvement or repairs shall be divided into more than one annual installment, the comptroller shall divide the entire amount levied against any description into such number of equal annual installments as shall be provided by the council and extend the same on said roll in additional columns for that purpose, the first column of which shall be headed "first installment," and the second column headed "second installment," and so on for each installment, the last column to be headed "last installment." He shall then deliver said roll to the city treasurer with his warrant annexed thereto directed to the treasurer of said city substantially in the form following, viz.: To the treasurer of the city of Sault Ste. Marie: In the name of the people of the State of Michigan, you are hereby commanded and required to collect from the several persons named in the within and foregoing assessment roll the several sums assessed in

When expense divided into annual installments.

Warrant to be annexed.

Form of warrant.

said roll opposite their respective names, as a special assessment, and you are hereby authorized and directed, in case any person in said roll named shall neglect or refuse to pay such sums, to levy the same by distress and sale of his or her goods and chattels together with the costs and charges of said distress and sale, and you are further directed to make return of said roll according to law sixty days from this date. Dated.....

.....
Comptroller.

Collection of
assessments.

Upon receiving the said roll and warrant the city treasurer shall proceed to collect from the persons named in said roll the amount assessed against them thereon as commanded by said warrant, and shall within five days after receiving said roll for collection, and in case such assessment is levied in more than one installment, within five days after each installment is due and payable, notify all persons assessed thereon that such roll is in his hands for collection; which notice shall be by letter or postal card mailed to the last known address of such person, and if no address can be found then such notice may be addressed to such person at Sault Ste. Marie, Michigan, but no assessment, except the collection fee, shall be held to be invalid or the right to enforce collection thereof, be in any manner affected by reason of the failure to mail such notice, and if such assessment be levied in more than one annual installment, he shall state in such notice the number of the installment to be collected. And on all sums voluntarily paid within the first thirty days of the limit for the return of said roll, and in case of more than one installment within thirty days after each installment is due and payable, he shall add one per cent for collection fees, and upon all sums paid after the expiration of the said thirty days he shall add four per cent for collection fees. In case any special assessment shall be divided into more than one annual installment the second installment shall become due and payable in one year from the date of the confirmation of said roll by the board of review, and the third installment in two years from such date, and so on for each succeeding installment, and each installment shall bear interest at the rate of six per cent per annum from the expiration of thirty days after the confirmation of said roll, but the whose assessment may be paid to the city treasurer at any time after confirmation with the proportionate interest thereon. During the time for the collection of all deferred installments and the interest thereon the warrant attached to said roll shall remain in full force and effect and shall be returnable on each installment within sixty days from the date that such installment becomes due and payable and shall remain in full force during the time provided for the return of said roll for all installments. In case any person named in said roll shall neglect or refuse to pay said special

Interest on
delinquent
taxes.

assessment within said first thirty days, or in case of deferred installments within thirty days after any installment becomes due and payable, together with the interest thereon, it shall be the duty of the treasurer to levy the same by distress and sale of the goods and chattels of such person wherever the same may be found in the county of Chippewa. In the event of any property being seized by the treasurer as above provided, he shall proceed to advertise and sell the same in the manner provided by law for the sale of chattels seized by the treasurer under a warrant annexed to the general city tax roll, and he shall receive the additional fees allowed on seizure in such cases.

SEC. 8. Whenever any tax assessed upon such roll shall be paid the treasurer shall give a receipt therefor, and note the fact upon the roll opposite the description of the lot or parcel assessed, and he shall enter on the roll in the proper column provided therefor the amount of interest collected thereon.

Treasurer to
give receipt.

SEC. 9. Within five days after the time fixed in said warrant for the return of said roll the treasurer shall prepare and file with the comptroller a statement on oath and in writing showing the total amount of taxes collected by him on said special assessment roll, the amount of his fees for collection of the same, and the total amount of delinquent tax remaining uncollected. According to the command of the warrant the treasurer shall make out and return to the comptroller a statement of all taxes remaining delinquent on the said roll not theretofore returned delinquent, with a description of each lot or parcel of land upon which the same remains delinquent, and in case the time for the return of said roll to the comptroller for all installments has expired such return may be made by the certificate of the treasurer attached to said roll specifying in definite manner the assessments remaining delinquent on said roll. On the first day of November in each year the treasurer shall return to the comptroller any and all special assessment rolls remaining in his hands, the time for the return of which shall have expired, with the list of taxes remaining delinquent thereon as above provided, and the comptroller shall add upon the general tax roll of the city then in course of preparation any delinquent tax assessed upon such local tax roll, and returned delinquent, against the same piece or parcel of real estate returned delinquent on or from said special assessment roll, to the other city or general taxes assessed against such parcel of real estate upon the said general tax roll, together with interest on the amount of such special assessment at the rate of six per cent from the expiration of thirty days after the confirmation of such special assessment roll, and the same shall also be a charge to the owner, and to any person against whom such piece or parcel of real estate is assessed on said general roll. In collecting

When
treasurer
to file state-
ment.

Return of
roll.

the general tax roll of the city the treasurer shall add to each of the amounts so returned as delinquent four per cent for his collection fee.

CHAPTER XXIII.

Taxation for special fund limited.

SEC. 6. In addition to the above amounts, the council may raise by special assessment in any special assessment district, such sums as they may deem necessary to carry out the public improvement designated, but not exceeding in any one year for any single improvement five per cent of the assessed value of the property in the special assessment district as shown by the last preceding assessment roll of the city.

When improvements to be commenced, etc.

SEC. 11. No public work or improvement or expenditure shall be commenced, nor any contract therefor be let or made, except as herein otherwise provided, unless there shall be sufficient money on hand available or provided for by the council for that purpose to complete such work, or until a tax or assessment shall have been levied to pay the cost and expense thereof. And no such work or improvement shall be paid for, or contracted to be paid for, except from such moneys on hand or provided for by the council or from the proceeds of the tax or assessment thus levied. And in case any portion of the cost and expense of any public improvement is to be defrayed by special assessment levied therefor, the cost and expense of such improvement may be paid from any moneys on hand available for that purpose, and the moneys received from such special assessment shall be used to reimburse the city for the cost and expense of such improvement.

Authority of council relative to loans.

SEC. 12. The council shall also have authority to raise money by loan, in anticipation of the receipts from special assessments levied for the purpose of defraying the cost of the improvement, or in case the improvement has already been completed for reimbursing the city for moneys expended in making such improvement for which the assessment was levied. Such loan shall not exceed the amount of the assessment levied for the completion of the whole work, and for such loan, the bonds of the city may be issued in such denominations and payable at such times from one to five years as the council may by resolution determine.

Amount of loan limited.

Bonds.

SEC. 18. No loans shall be made by the council or by its authority in any year, exceeding the amounts prescribed in this act. For any loans lawfully made, the bonds of the city may be issued, bearing a legal rate of interest, which bonds shall be signed by the recorder and countersigned by the mayor and approved by the comptroller before delivery of the same. A record showing the dates, numbers and amounts of all bonds issued and when due shall be kept by the comptroller. When deemed necessary by the council to extend the time of payment of bonds, excepting special assessment bonds, new bonds may be issued in place of former bonds,

Record of.

New bonds.

falling due in such manner as merely to change but not increase the indebtedness of the city. Each bond shall show upon its face the class of the indebtedness to which it belongs and from what fund it is payable. What bond to show.

SEC. 2. Section four of chapter three of this act is hereby repealed. Section repealed.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 469.]

AN ACT to amend section eight of title three, section sixteen of title six and section one of title fourteen of act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, entitled "An act to revise and amend the charter of the city of Saginaw as existing under an act entitled 'An act to annex the territory embraced within the city of East Saginaw to that of the city of Saginaw, and to consolidate the city of East Saginaw with Saginaw, under the name of the city of Saginaw; to specify and fix the boundaries of the consolidated city; to provide for the assuming and payment of the indebtedness and liabilities of the present cities of East Saginaw and Saginaw, and for the ownership of all their corporate property and rights; to define the corporate rights, powers and privileges of said city of Saginaw as so consolidated, and to repeal all acts inconsistent herewith,' and acts supplementary and amendatory thereof, and to repeal all acts and parts of acts inconsistent herewith."

The People of the State of Michigan enact:

SECTION 1. That section eight of title three, section sixteen of title six and section one of title fourteen of act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, entitled "An act to revise and amend the charter of the city of Saginaw as existing under an act entitled 'An act to annex the territory embraced within the city of East Saginaw to that of the city of Saginaw, and to consolidate the city of East Saginaw with Saginaw, under the name of the city of Saginaw; to specify and fix the boundaries of the consolidated city; to provide for the assuming and payment of the indebtedness and liabilities of the present cities of East Saginaw and Saginaw, and for the ownership of all their corporate property and rights; to define the corporate rights, powers and privileges of said city of Saginaw as so consolidated, and

Sections amended.

to repeal all acts inconsistent herewith,' and acts supplementary and amendatory thereof, and to repeal all acts and parts of acts inconsistent herewith,' be and the same are hereby amended so as to read as follows:

TITLE III.

Additional
powers of
council.

SEC. 8. The common council in addition to the powers and duties specially conferred upon them in this act, shall have the management and control of the finances, rights and interests, and all property, real and personal, belonging to the city, and make such orders and by-laws relating to the same as they shall deem proper and necessary; and they shall have the power within said city to enact, make, continue, establish, modify, amend and repeal such ordinances, by-laws and regulations as they may deem desirable within said city, for the following purposes:

Vice.

First. To prevent vice and immorality, to preserve peace and good order, to regulate the police of the city, to prevent and quell riots, disturbances and disorderly assemblages;

Disorderly
houses.

Second. To restrain and prevent disorderly and gaming houses, and houses of ill-fame, all instruments and devices used for gaming, and to prohibit all gaming and fraudulent devices, and regulate or restrain billiard tables and bowling alleys;

Liquors.

Third. To forbid and prevent the vending or other disposition of liquors and intoxicating drinks in violation of the laws of the State, and to forbid the selling or giving to be drunk any intoxicating liquors to any child or young person without the consent of his or her parents or guardian and to prohibit, restrain and regulate the sale of all goods, wares and personal property at auction, except in cases of sale authorized by law, and to fix the fees to be paid by and to the auctioneers;

Auctions.

Exhibitions.

Fourth. To prohibit, restrain, license and regulate all sports, exhibitions of all natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses or other public performances and exhibitions for money;

Nuisances.

Fifth. To abate or remove nuisances of every kind, and to compel the owner or occupant of any grocery, tallow-chandler shop, butcher's stall, soap factory, tannery, stable, privy, hog pen, sewer or other offensive or unwholesome house or place, to cleanse, remove or abate the same from time to time, as often as they may deem necessary for the health, comfort and convenience of the inhabitants of the city. To compel the owner, lessee or agent to remove buildings that are liable to fall by reason of being burnt, decayed or not properly erected;

Dangerous
buildings.

Location
of slaughter
houses.

Sixth. To direct the location of all slaughter houses, markets and buildings for storing gunpowder or other combustible materials, and to regulate the manner of keeping the same;

Seventh. To regulate, restrain or prohibit the buying, selling, carrying and using of firearms, weapons, gunpowder, fire-crackers or fireworks, manufactured or prepared therefrom, or from other combustible material, and the exhibition of fireworks, and the discharge of firearms, and the lights in barns, stables and other buildings, and to restrain and prohibit the making of bonfires in streets, yards, alleys and other public places; Firearms, combustibles, etc.

Eighth. To prevent the encumbering of streets, sidewalks, crosswalks, lanes, alleys, bridges, aqueducts, wharves or slips in any manner whatever; Encumbering streets.

Ninth. to prevent and punish horse racing and immoderate riding or driving in any street, and to authorize the stopping and detaining of any person who shall be guilty of immoderate riding or driving in any street; and to prevent any person from leaving a horse or horses or other animal standing upon the streets of said city without being securely tied, held or fastened so as to prevent their escape; Horse racing.

Tenth. To determine and designate the routes and grades of any railroad to be laid in said city, and to regulate the use of locomotives, engines and cars upon the railroads within the city; to compel such railroads to erect and maintain safety gates at street crossings; Railroad grades, etc.

Eleventh. To regulate, restrain or prohibit bathing in any public water, and to provide for (cleansing) cleaning Saginaw river of driftwood and other obstructions; Bathing, etc.

Twelfth. To restrain and punish drunkards, vagrants, mendicants, street beggars and persons soliciting alms or subscriptions for any purpose whatever; Drunkards, vagrants, etc.

Thirteenth. To establish one or more pounds, and to restrain, regulate or prohibit the running at large of horses, cattle, swine and other animals, geese and poultry, and to authorize the impounding and sale of the same for the penalty incurred and the cost of their keeping and impounding; Pounds.

Fourteenth. To regulate or prevent the running at large of dogs; to impose taxes upon the owners of dogs and to punish dog fights and those engaged in aiding and abetting the same, in the streets and elsewhere in said city. To provide for the issuing of licenses to the owners and keepers of dogs, and to compel the owners and keepers thereof to pay for and obtain such licenses; to require them to be muzzled and to authorize the killing of dogs not licensed or running at large in violation of the ordinances of the city; and to authorize the killing of dogs impounded, which shall not be redeemed within the time prescribed by the ordinance regulating the same; Dogs.

Fifteenth. To prohibit any person from bringing and depositing within the limits of said city any dead carcass or other unwholesome or offensive substance, and to require the removal and destruction thereof, if any person shall have on his premises such substance or any putrid meats, fish, hides Carcasses, etc.

	or skins of any kind, and on his default to authorize the removal or destruction thereof by some officer of the city;
Sidewalks.	Sixteenth. To compel all persons to keep sidewalks in front of premises owned or occupied by them clean from snow, dirt, wood and all other obstructions;
Bells, whistles, etc.	Seventeenth. To regulate or prohibit the ringing of bells, blowing of steam whistles, and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises in the streets and elsewhere in said city;
Burials.	Eighteenth. To regulate the burial of the dead and to compel the keeping and return of bills of mortality;
Markets.	Nineteenth. To establish, order, and regulate markets, to prohibit the forestalling the same, to regulate the vending of wood, meats, vegetables, fruit, fish, and provisions of all kinds, and prescribe the time and place for selling the same, and the fees to be paid by butchers for license: Provided, That nothing herein contained shall authorize the common council to restrict in any way the sale of fresh and wholesome meats by the quarter within the limits of the city;
Proviso.	
Reservoirs, etc.	Twentieth. To establish, regulate and preserve public reservoirs, fountains, wells and pumps, and to prevent the waste of water;
Burying of the dead.	Twenty-first. To adopt rules for the regulation of sextons and undertakers in burying the dead, to license and regulate solicitors for passengers or for baggage for the benefit of any hotel, tavern, public house, boat or railroad; also to license and regulate draymen, carmen, truckmen porters, runners, drivers of cabs, coupes, hackney coaches, omnibuses, carriages, sleighs, express vehicles, and vehicles of every other description used or employed for hire, and to fix and regulate the amounts and rates of their compensation;
Solicitors for passengers.	
Runners, porters, etc.	Twenty-second. To regulate or prohibit runners, public porters, and all drivers of public conveyances for persons, from soliciting passengers or others to travel or ride in any public conveyance, boat, or upon any railroad, or to go to any hotel or elsewhere, and to license and regulate scavengers and chimney sweeps;
Street lighting.	Twenty-third. Concerning the lighting of streets, alleys and public places, and the protection and safety of public lamps and lights;
Auctioneers, peddlers, etc.	Twenty-fourth. To license and regulate auctioneers, hawkers, peddlers and pawnbrokers; and to regulate auctions, hawking, peddling and pawnbrokerage, also the peddling and hawking of fruits, nuts, cakes, refreshments, jewelry, merchandise, goods, and other property whatsoever by hand, hand-cart, show-case, show-stands, or otherwise, in the public streets, also to license and regulate or suppress hucksters and bill posters;
Duties of officers.	Twenty-fifth. To prescribe the duties of all officers appointed by the common council, and their compensation and the penalty or penalties for failing to perform such duties, and

to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided for by law;

Twenty-sixth. To preserve the salubrity of the waters of Saginaw river, or other streams within the limits of said city, to fill up all low grounds or lots covered or partially covered with water, or to drain the same, as they may deem expedient, and to assess upon and collect from the lots or grounds so drained, or filled, the entire expense thereof; Salubrity of streams.

Twenty-seventh. To prescribe and designate the stands for carriages of all kinds which carry persons for hire, and for carts and carters, and to prescribe the rates of fare and charges, and the stand or stands for wood, hay and produce exposed for sale in said city; Stands for carriages.

Twenty-eighth. To prescribe the line upon which docks shall be built in Saginaw river, and beyond which they shall not extend, and to enforce the same by a fine not exceeding five hundred dollars, and to regulate such docks and to compel the owners or occupants thereof to keep the same in repair; Dock lines.

Twenty-ninth. To appoint so many harbor masters as they deem necessary, and to prescribe their powers, duties and compensations; Harbor master.

Thirtieth. To prescribe the duties of sealers of weights and measures, and the penalty for using false weights and measures, and all laws of this State in relation to the sealers of weights and measures shall apply to said city; except as herein otherwise provided; Sealer of weights, etc.

Thirty-first. To authorize the clerk to grant and issue licenses, and the mayor may revoke licenses as provided in section one, title four, of this act, in all cases when licenses may be granted under this act and the ordinances of the common council; Revocation of licenses.

Thirty-second. To prescribe the sum of money to be paid into the treasury of the city for every license which may be granted under this act and the ordinances of said city, also the time for which the licenses shall be granted; to require all licenses to be countersigned by the mayor; to require (of) any or all persons applying for a license, before the issuing thereof, the execution of a bond to the city in such sums as the common council may direct with one or more sufficient sureties, conditioned for the faithful observance of the charter and ordinances of the city, and otherwise conditioned as the common council may prescribe; License.

Thirty-third. To establish and maintain a public library, and to provide a suitable building therefor, and to aid in maintaining such other public libraries as may be established within said city by private munificence, as the common council may deem to be for the public good; Public library.

Thirty-fourth. To require all persons before constructing, altering or enlarging any building or other structure within Building permits.

- the limits of said city, to obtain a permit therefor; and to regulate by ordinance the terms and conditions on which such building permits shall be granted and issued;
- Lotteries.** Thirty-fifth. To prohibit, prevent and suppress all lotteries for the drawing or disposing of money, or any other property whatsoever, and to punish all persons maintaining, directing or managing the same;
- Telegraph poles, etc.** Thirty-sixth. To regulate the putting up, taking down, repairing and maintaining of telegraph, telephone and electric light, power and electric street railway poles and wires;
- Hotels.** Thirty-seventh. To license and regulate the keepers of hotels, taverns, restaurants and other public houses, grocers and keepers of ordinaries, saloons and victualing, and other houses or places for furnishing meals or food; to restrain, license and regulate saloons, and to regulate and prescribe the location thereof;
- Pawnbrokers.** Thirty-eighth. To compel pawnbrokers, junk shop keepers and second-hand dealers to keep a list of all goods purchased or received by them in the way of a pledge or security, and to compel them to deliver a written list each day to the chief of police, upon blanks furnished them by the city.

TITLE VI.

- Power of council relative to sidewalks.** SEC. 16. The common council shall have power to require the owners or occupants of any lands in said city to build, repair, keep in repair, and rebuild when necessary, all sidewalks in said city, and the common council may, by ordinance, prescribe the dimensions of all sidewalks, to be built in said city, and of what material the same shall be constructed, repaired or rebuilt, and in such ordinance may fix the time within which the owner or occupant of any lands in front of which any sidewalk is to be built, repaired, or rebuilt, shall build the same, and the common council may prescribe such penalty for violation of such ordinance as they may deem proper, not exceeding the amount limited by this act; and the common council shall also have power to prescribe by ordinance, the time and manner when property owners may pay for the construction and reconstruction of sidewalks and prescribe the rate of interest to be paid on all unpaid amounts.

TITLE XIV.

- Recorder to succeed police judge.** SECTION 1. From and after the first Monday in April, A. D. nineteen hundred and two, being the date of the expiration of the term for which the present police judge was elected, the recorder shall have the authority and shall perform all duties connected with the office of police judge as authorized

by the charter of the city of Saginaw. A police court shall be held in said city at the city hall, to be styled the police court, and a session of said court may be held daily at seven thirty a. m. in the central police station and as soon thereafter as possible in the west side police station; said court, however, shall not be a court of record. The present police judge after the passage of this act shall perform his duties as heretofore; or as further provided in this act until April, A. D. nineteen hundred and two, viz.: the date of the expiration of the term for which he was elected, and his duties and authority shall thereupon cease and the recorder shall become his successor as herein provided. Said recorder as police judge shall have power and authority to take complaints, issue any process necessary in said court, to be signed by said judge; and the court shall have the same power to punish contempt and preserve order, to compel the attendance of witnesses, parties and jurors, and to determine as to the qualification of jurors, as a circuit court and the judge thereof, and such further powers incident to a circuit court and the judge thereof, as may be convenient in the exercise of the jurisdiction and powers herein conferred upon him as such court. He shall also have all the powers and authority of a justice of the peace in the trial of civil cases. In every criminal trial in said court by a jury, the city or the people, as the case may be, shall be entitled to but two peremptory challenges. After the expiration of the term of the present police judge, the recorder acting as police judge shall have and exercise the same jurisdiction and powers in all civil suits and proceedings, and perform the same duties in all respects, so far as occasion may require, as are or may be conferred upon or required of justices of the peace by the general laws of this State, and such further powers as are conferred by this act, and shall have jurisdiction in all civil cases where the plaintiffs, or any of them, or the defendants, or any of them, reside in the county of Saginaw, and shall have exclusive jurisdiction over any cause or proceeding cognizable by a justice of the peace where both parties to the same reside in the city of Saginaw at the time of the commencement of the proceedings or cause. The police judge and clerk shall receive no fees or perquisites for their services as such performed under this act, but in lieu thereof the recorder acting as police judge exclusive of recorder's fees, shall receive an annual salary of twelve hundred dollars, for services actually performed, which shall be paid by the city of Saginaw monthly. The clerk of said police court shall receive an annual salary to be paid by the said city, in the manner herein provided for the payment of the salary of the recorder acting as police judge, of not to exceed eight hundred dollars. Neither the chief of police nor any member of the police force of said city, shall receive for his own use any fees for services performed under this act.

Police court.

Term of office.

Powers of recorder as police judge.

Other powers of recorder.

Jurisdiction.

Salaries, etc.

Repealing
clause.

SEC. 2. All acts or parts of acts in so far as they are in conflict with this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 470.]

AN ACT to provide for the holding of primaries in the county of Kent, and to punish frauds thereat, and by delegates elected thereat, and the corruption and attempted corruption of such delegates.

The People of the State of Michigan enact:

"Primary"
defined.

SECTION 1. That the word "primary" in this act shall be construed to mean an assemblage of voters of any political party duly convened for any of the purposes set forth in this act, and that the words "primary election," as used in this act, shall be construed so as to embrace all elections held by any political party, convention, organization or delegation therefrom, for the purpose of choosing candidates for office, or for choosing delegates to any convention or conventions to be held by the party holding such primary, or for the purpose of electing officers for any political organization, convention or association.

Where
township
primaries
held.

SEC. 2. The primaries of any political party in the county of Kent, outside the city of Grand Rapids, shall be held by the several townships, and all townships shall hold their primaries for the same party on the same day, and such primaries shall be held in the regular voting place in such township: Provided however, That where there are more than one voting precinct in any township, such primary shall be held at the voting place of the first precinct of such township: Provided further, No two parties shall hold their primaries on the same day.

Proviso.

Further
proviso.

Who to deter-
mine time
for holding.

SEC. 3. The time for holding such primaries shall be determined by the principal committee of the party having in charge the particular matter for which the primary is called.

Notice.

Notice of the time for holding such primaries shall be given by the chairman of said principal committee to the chairman of the township committee of the party holding such primaries of the respective townships, and said chairman of said township committee shall give notice of the time and place of holding said primaries by posting written notice thereof in at least three conspicuous public places in the township at least five days before the day for holding such primaries.

SEC. 4. Said primary elections shall be made to begin at the hour of two o'clock in the afternoon, and continue until six o'clock p. m., standard time, and shall be held not less than five days nor more than fifteen days before the time for holding such convention to which the delegates elected at such primaries are to be elected: Provided, That where there is more than one voting precinct in any township such primary shall continue until eight o'clock in the evening, standard time.

When to begin, etc.

Proviso.

SEC. 5. Each primary in the townships of Kent county, outside of the city of Grand Rapids, shall be presided over by a board of inspectors, which shall be composed of the members of the township committee of the party holding the said primary, and the method of voting at said primary shall be by ballot and in the same manner as provided in sections six, twenty-two, twenty-three and twenty-four of this act. And if any member of such board of primary inspectors shall be absent, or for any reason be disqualified from sitting on the board of which he is a member, such vacancy shall be filled by a viva voce vote of the voters of the party holding such primary, at the opening of the same: Provided, That said board of inspectors shall in every case be duly sworn before entering upon the duties of inspectors of primaries: Provided further, That if at any time a vacancy occurs upon the township committee, the party represented by such committee shall fill such vacancy at its next primary or caucus.

Board of inspectors to preside.

Vacancies, how filled.

Proviso.

Further proviso.

SEC. 6. The delegates to a convention shall be elected in the township primary by ballot, and in the following manner: The inspectors shall provide suitable blanks of uniform size and color, not less than three inches by six inches, to be used as ballots, and at each primary any person desiring to be elected a delegate thereat may procure slips or pasters containing his name, and when such slips or pasters are used, not more than one name shall appear on the same slip or paster. When more than one name shall appear upon the same slip or paster used in voting, none of the names contained upon such slip or paster shall be counted. Any person offering to any voter any slip or paster containing two or more names to be voted for such primary shall be guilty of a misdemeanor. Any person using any slip or paster containing more than one name in voting at such primary election shall be deemed guilty of a misdemeanor. The names of all the delegates to be voted for shall be written, printed or pasted on one ballot by the person voting, while in the booth, and no name shall appear more than once on the same ballot. The person receiving the highest number of votes shall be declared elected a delegate, the person receiving the next highest number of votes shall be declared the next delegate, and so on in like manner until the full number of delegates to which the ward or township is entitled shall have

How delegates elected.

When names not counted.

Misdemeanor.

Proviso as to
tie vote.

been declared elected: Provided, If it shall appear on counting the votes polled at any primary that two or more persons have received an equal number of votes, and that a failure to elect the requisite number of delegates is caused thereby, such persons shall proceed to draw lots for the election as such delegate in the following manner: The board of inspectors, where such tie may occur, shall prepare as many slips of paper as there are such persons who have received the same number of votes, and write the word "elected" on as many slips of paper as there are delegates to be chosen, and the words "not elected" on the remaining slips, and fold the same so as to conceal the writing, and so that they may appear as nearly alike as possible. Such slips shall be placed in a box and each of such persons aforesaid, or in his absence some disinterested person acting for him, may draw one of such slips from the box, and such person drawing a slip on which is written the word "elected" shall be deemed legally elected as such delegate, and the board shall forthwith issue to him his credentials of such election: Provided further, That in case any voter for any reason which said board may deem sufficient, shall be unable to write, print or paste the names of the delegates to be voted for upon his ballot, such board shall delegate one of their number, who shall assist such voter, within the booth, to prepare his ballot.

Further
proviso.

When town-
ship fails
to hold
primary.

SEC. 7. Any township failing to hold its party primary at the time designated therefor, as provided in this act, shall not be represented at the election or convention of its party, so far as relates to the special purposes for which such primary was called.

Time for
holding
in Grand
Rapids.

SEC. 8. The time for holding the primaries in the city of Grand Rapids shall be determined by the principal committee of the party having in charge the particular matter for which the primary shall be called, and in case of conventions embracing the whole of Kent county, the primary shall be held upon the same day in both city and townships, which shall be not less than five days nor more than fifteen days before the time for holding such convention to which the delegates elected at such primaries are to be elected. Notice of the time for holding said primaries shall be given by the city or ward committees of the respective parties in the same manner as provided in section nine of act number three hundred three of the session laws of eighteen hundred eighty-seven, as amended by act number one hundred seventy-five of the session laws of eighteen hundred ninety-three.

Notice.

Election
booths.

SEC. 9. The common council of the city of Grand Rapids shall cause the election booths of said city to be provided and erected at the places designated by the principal committee having in charge the particular matter for which the primary is called, at least one day prior to the day for holding said primaries: Provided however, It shall be the duty of the chairman of such principal committee to serve notice upon

Proviso.

the clerk of said city of Grand Rapids at least ten days before the time fixed for holding said primaries.

SEC. 10. The primaries in the city of Grand Rapids shall be made to begin at two o'clock in the afternoon, and to continue until eight o'clock in the evening, standard time, and at least five days' notice thereof shall be given by publication in one or more daily newspapers published in said city. When primaries begin.

SEC. 11. Each primary in the city of Grand Rapids shall be presided over by a board of inspectors, which shall be composed of a chairman, who shall be a member of the ward committee of the party holding said primary, residing in the ward where the primary is held, and of two qualified voters chosen from the residents of said ward, and who shall belong to the party holding such primaries. Each political party desiring to hold primary elections shall, at the first primary election after this act takes effect elect a member of the ward committee and two inspectors of primaries for each ward or voting precinct, whose term of office shall be for two years. At the first primary after this act takes effect each political party shall choose two inspectors, and, if there be no member of its ward committee, also a chairman of such committee, by a viva voce vote of the electors of the party holding such primary present at the opening of said primary. And if any member of such board of primary inspectors shall be absent, or for any reason be disqualified from sitting on the board of which he is a member, such vacancy shall be filled by viva voce vote of the voters of the party holding such primary, at the opening of the same. Who to preside.
Whom to elect.

SEC. 12. No voter whose name does not appear on the registration list of the last preceding election, shall be allowed to vote at any primary: Provided, If any qualified voter whose name does not appear on said registration list, and who desires to vote at such primary, the chairman of the board of primary inspectors shall administer to him the following oath: You do solemnly swear that you are a resident of this ward or voting precinct; that you reside at (here state the place of residence where said proposed voter claims to reside); that you have lived there more than twenty days prior to this day; that you are a member of the (here name the party holding the primary); that you are a qualified voter of this State and of the United States, and that you have not voted at any other primary election in any other ward or voting precinct than this since last election, so help you God. If after taking the foregoing oath said voter shall be challenged on the ground that he is not a resident of said ward or voting precinct, the board of inspectors, before his vote is received, shall require him to produce before said board some well known and reputable resident of said ward or voting precinct, who will make oath that he knows the person desiring to vote, the place of residence of said person, how long he has lived there, his occupation, and to answer such When voter not registered.
Oath.
When voter challenged.

other questions as may be put to him concerning the qualifications of said applicant to vote at said primary. If from the oath of such person the board is satisfied that such applicant is a qualified voter and resident of said ward or voting precinct, said vote shall be received, otherwise it shall be rejected. Any person swearing falsely under the provisions of this section, upon conviction thereof before any court of competent jurisdiction, shall be subject to all the pains and penalties of perjury.

Penalty for
swearing
falsely.

Qualified
electors.

Sec. 13. Only qualified electors identified with the party or organizations holding such primaries, and who shall be residents of the ward or precinct when such caucus or primary is held for twenty days or more prior to the date of the holding of such caucus or primary, shall be permitted to vote thereat, and if any person shall be challenged on the ground that he is not a member of such party, he shall be required to take the following oath, to be administered by any person authorized by law to administer oaths:

Oath.

STATE OF MICHIGAN, } ss.
County of Kent,

I do solemnly swear that I am (name of party or organization) and a resident of this ward for the last twenty days, and am in sympathy with the aims and objects of said party and will support its principles and objects, so help me God.

(Signature).....
Sworn to and subscribed before me this.....
day of..... 19..

Notary Public (or other proper officers authorized to administer oaths), Kent county, Mich.

If any person who takes the foregoing oath swears falsely he shall, upon conviction thereof, be subject to all the pains and penalties of perjury.

When
challenged
persons may
vote.

Sec. 14. If at the time a person proposing to vote is challenged there are several persons waiting their turn to vote, said challenged person shall stand back to one side until after unchallenged voters have had an opportunity to vote, when his case shall be taken up and disposed of: Provided, That if any person shall challenge a qualified voter, resident of such ward or voting precinct, well known as a member of the party or organization holding such primary, for the purpose of annoying or delaying voters, he shall be deemed guilty of a misdemeanor.

Proviso.

Parties to
hold primaries
on different
days.

Sec. 15. No two parties or organizations shall call their primaries for the same day, and the chairman of each of the principal committees of the parties having in charge the primaries to be held for any stated purpose shall notify the city clerk in the city or the county clerk in other cases of the time fixed for his party primaries within twenty-four

hours after the same is determined, and such day shall be considered as secured to the party whose committee chairman has first given notification thereof.

SEC. 16. The common council may cause all the different political organizations to hold their primaries within a given time: Provided however, That the time designated by the common council shall not conflict with the provisions of this act. The common council of the city of Grand Rapids shall provide suitable ballot boxes and a suitable party seal for each party in said city. In townships the township board shall provide suitable ballot boxes and suitable party seal for each party for use at their primaries.

Power of council.

Proviso.

SEC. 17. If any voter shall solicit from any candidate for election at any primary, or from any other person, or shall receive, directly or indirectly, from such candidate or from any other person any money, or promise of place or position, or any valuable consideration of any kind, for his vote or support at such primary, or for his attendance thereat, or if any person shall vote at more than one party primary, each held for the nomination of the same class of delegates before any one elected, he shall be deemed guilty of a misdemeanor.

When voter guilty of misdemeanor.

SEC. 18. Any person who shall hire any carriage or other conveyance, or cause the same to be done, for conveying votes [voters], other than those physically unable to walk thereto, to any primary conducted hereunder, or who shall solicit any person to cast an unlawful vote at any primary, or who shall offer to any voter any money or regard of any kind, or shall treat any voter or furnish any entertainment for any voter, or shall promise any place or position for the purpose of securing such voters' vote, support or attendance at such primary or convention, or shall cause the same to be done, shall be deemed guilty of a misdemeanor.

Unlawful solicitation of votes.

SEC. 19. No delegate elected to any city or county convention shall give a proxy to represent him at such convention. All vacancies occurring in any delegation to any convention shall be filled by a majority vote of such delegation: Provided, That such delegation shall not be permitted to fill any vacancies which may occur in its number by any person not a resident of the ward or township from which said absent person was chosen, and any person not fully elected or chosen as hereinbefore set forth shall sit as a member of a delegation in any convention, or who shall secure his election thereto by the offer of any valuable consideration whatever, or by the promise of any reward, place or position, shall be deemed guilty of a misdemeanor.

Proxy.

How vacancies filled.

Proviso.

SEC. 20. In all cases the manner of voting in conventions of delegates for the election of party candidates shall be in the following manner: The secretary of the convention shall call the roll of townships or wards, or townships and wards, whereupon some member of each delegation representing such townships or wards, who shall be designated as chair-

Manner of voting, etc.

Proviso.	man of said delegation, shall arise and announce the vote of said delegation: Provided, That no chairman of any delegation shall announce any votes of any delegates who are absent at the time of voting.
When persons solicit candidates for reward.	SEC. 21. Any delegate or member of any convention, or any other person, who shall solicit any candidate for election or nomination before said convention for money, reward, position, place or preferment for his support in such convention, shall be deemed guilty of a misdemeanor.
Delegates, how elected.	SEC. 22. Delegates to be elected in the city of Grand Rapids to any convention, shall be elected by ballot. Any person in any ward in the city of Grand Rapids entitled to vote therein at such primary who shall desire to be a delegate to be elected at such primary, may file with the clerk of the city of Grand Rapids on or before two full days prior to the day for holding such primary, a written statement setting forth that he desires to be a delegate so to be elected and request thereby that his name be placed upon the ballot to be used at the primary in such ward. It shall be the duty of the city clerk of the city of Grand Rapids to provide for each ward suitable ballots, of uniform size and color, not less than three inches by six inches, to be used as ballots at such primary. And upon the ballots for each of the several wards the city clerk shall cause to be placed the names of all persons duly qualified who shall present their names to the city clerk as above stated, and beneath the names so placed on such ballots there shall be placed six blank lines, upon which any voter may write the names of persons qualified to be elected as delegates from his ward in case he should desire to vote for persons whose names are not regularly printed upon the ballots. At the left of each name printed upon the ballot, and of each of such six blank lines, the city clerk shall cause to be placed a (), to be used for indicating the candidates for which the voter desires to vote. The ballots for the several wards shall be by the city clerk delivered to the inspectors of primaries of the several wards at his office as they shall call for and receipt for the same on the forenoon of the day on which the primary is to be held. Each voter while in the booth shall there designate the names of the persons for whom he desires to vote by placing a cross in the () at the left of such name, and in case he desires to vote for a delegate whose name does not appear upon the ballot he may write the same upon a blank line upon said ballot and place a cross in the () at the left thereof. In case any ballot shall be destroyed by a voter he shall return the same to the inspectors and shall receive another ballot for them. It shall be the duty of the inspectors of such primaries to return to the city clerk, together with the ballots cast, all ballots which shall be mutilated or unused. Any ballot containing more names marked for delegates than the ward shall be entitled to shall be a void ballot, and no name marked thereon shall be
Ballots.	
To whom ballots delivered.	
How voter to designate choice.	
When ballot destroyed by voter.	

counted, and no name shall appear more than once on the same ballot. The person receiving the highest number of votes shall be declared elected a delegate, the person receiving the next highest number of votes shall be declared the next delegate, and so on in like manner until the full number of delegates to which the ward or precinct is entitled shall have been declared elected: Provided, If it shall appear on counting the votes polled at any primary that two or more persons have received an equal number of votes for member of the same delegation and that a failure to elect the requisite number of delegates is caused thereby, such persons shall proceed to draw lots for the election to said delegation as provided for in section six of this act: Provided further, That in case any voter for any reason which said board may deem sufficient shall be unable to write, print or paste the names of the delegates to be voted for upon his ballot, such board shall delegate one of their number who shall assist such voter, within the booth, to prepare his ballot.

Who declared elected.

Proviso.

Further Proviso.

SEC. 23. It shall be the duty of said boards of inspectors in Kent county to procure the ballot boxes to be provided for them by the township board in townships and by the common council in the city of Grand Rapids, and appoint one of their number chairman and one clerk. They shall also appoint an assistant clerk from the members if their own political party, and if necessary in order to keep people outside of the gates until their opportunity to vote comes, the board of inspectors shall appoint two gate keepers. The inspector whom shall be designated by the board shall write in the initials in ink on the upper lefthand corner of the back of each ballot in his ordinary handwriting, and without any distinguishing mark of any kind. As each successive elector calls for a ballot he shall deliver to him one of the ballots thus marked. Before leaving the booth the elector shall hold (fold) his ballot so that no part of the face thereof shall be exposed, and so that the initials of the inspector shall be on the outside thereof, and on leaving the booth shall at once deliver, in public view, such ballot to the inspector designated to receive the same, who shall thereupon announce audibly the name of the elector offering the same. Before the ballot is deposited in the box the poll clerks shall enter the name of such elector on their respective poll lists and number the same consecutively. The inspectors shall then, in the presence of the elector and the board of primary inspectors, deposit the same in the ballot box without opening the same: Provided however, If any elector shall show his ballot, or any part thereof, to any person, other than one lawfully assisting him in the preparation thereof, after the same shall have been marked, so as to disclose any part of the face thereof, such ballot shall not be received or deposited in the ballot box. In case such elector shall so expose his ballot his name shall be entered on the poll lists, with a minute of such occurrence, and such elector shall not be allowed to vote there-

Duty of inspectors.

Whom to appoint.

How ballots marked.

Name of elector entered on poll list.

Who to deposit ballot.

Proviso.

after at said election. The elector shall then leave the room, but no elector to whom the ballot has been delivered shall be permitted to leave the room without voting his ballot or returning it to the inspector from whom he received it. Any elector who shall attempt to leave the room with a ballot or pencil in his possession shall be at once arrested on demand of any member of the board of inspectors if he shall refuse to deliver the same upon request.

Ballot box
to be locked
and sealed.

To whom key
delivered.

SEC. 24. After the votes have been canvassed according to the provisions of section three thousand six hundred forty-six of the compiled laws of eighteen hundred ninety-seven, the ballots shall be placed in the box and the box shall be locked and sealed with the party seal hereinbefore provided. The key shall then be delivered to one of the inspectors, the box to another, and the seal to another, to be kept until the next primary of the same political party which shall be held for the purpose of electing delegates. The poll lists shall be signed by all the members of the board of primary inspectors and one copy shall be delivered to the township clerk in townships or to the city clerk in the city of Grand Rapids, and the other to the clerk of the board of primary inspectors, which lists shall be filed and preserved by them in their respective offices.

Duty of board
of inspectors.

SEC. 25. It shall be the duty of the board of primary inspectors, if there has been any primary or primaries of any other political party or parties in that precinct or township since the last preceding election, to have the poll list of said primary which shall have been filed in the township clerk's office, or city clerk's office, and allow no one to vote at the primary of their party if his name shall appear on any of said poll lists. Any and every inspector who shall neglect to use reasonable discretion regarding this matter, and any elector whose name shall be found upon the primary poll lists of more than one party, shall be deemed guilty of a misdemeanor.

Penalty for
misdemeanor.

SEC. 26. Any person found guilty of any offense defined in this act as a misdemeanor shall, upon conviction thereof, be sentenced to pay a fine of not less than ten dollars nor more than five hundred dollars, or to be confined in the county jail not less than ten days nor more than six months, or both such fine and imprisonment, in the discretion of the court.

Persons
who shall
influence
voter, etc.

SEC. 27. Any person who shall influence any voter, delegate, candidate or other person to violate any of the provisions of this act shall be deemed guilty of a misdemeanor and punishable as hereinbefore provided.

Act not
applicable
to certain
nominations.

SEC. 28. This act shall not apply to the holding of primary elections in the city of Grand Rapids for the nomination of candidates for all elective city officers, judges, representatives and senators to the State legislature, ward officers and supervisors at large.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 471.]

AN ACT providing for the selection of candidates for elections by popular vote and relating to primary elections in the city of Grand Rapids.

The People of the State of Michigan enact:

SECTION 1. On the third Tuesday, preceding any general fall election, and on the third Tuesday preceding any general spring charter or special election at which officers for said city of Grand Rapids are to be elected, or at which representatives and senators to the State legislature are to be elected, a primary election shall be held in the several wards of said city in accordance with this act, which shall be known as the primary election, for the purpose of choosing candidates for all elective city officers, judges, representatives and senators to the State legislature, and all other elective officers (except elective members of school boards), who are to be chosen in said city at said ensuing election. When
primary
election held.

SEC. 2. At least ten days, and until five o'clock in the afternoon of the tenth day, before the primary election day any person who shall be eligible to an office shall appear personally or by his representative duly authorized before the city clerk of said city if a candidate for a city office or candidate for a legislative office, with an affidavit to the effect that it is bona fide his intention to run for the nomination for any specified office; and he shall then and there pay to said city clerk the sum of fifteen dollars, except candidates for ward offices, and supervisors at large, who shall pay to the city clerk the sum of five dollars, a receipt for which shall be given him. The said city clerk shall place his name upon the primary election ballot of his party as hereinafter provided. The said city clerk shall number each petition in numerical order as received. All such fees shall be immediately paid into the city treasury by the city clerk. Such affidavit may be in substantially the following form: "I Candidates.
....., being duly sworn, say that I reside at No. street, city of Grand Rapids, county of Kent, State of Michigan, and am a qualified voter therein, and a (name of party). That I am a candidate for the nomination to the office of, to be made at the primary of said party, to be held at and hereby request my name to be printed upon the official primary ballot as provided by law, as a candidate for the party. Form of
affidavit.

.....
Subscribed and sworn to before me this day
of 190...

....."

Ballots.	<p>SEC. 3. The method of voting at said primary election shall be by ballot, and all ballots voted shall be printed and prepared as herein provided. Each party ticket shall be absolutely uniform in color and size; shall be white and printed in black ink. Across the head of each ballot shall be printed in plain black type the name of the political party on each ticket, following the words "primary election ballot." On the next line, and in smaller type, shall be printed the words "list of candidates for nomination to be voted for in ward," (naming the ward that said ballot is intended for), followed by "city of Grand Rapids." The balance of the ticket is to be made in the same manner as the ballots used at a general election, except that the tickets are to be made up under the head in two columns, with a design of parallel or flagree rule, one inch wide, to separate the columns. At the top of each column shall appear the words "To vote for a person mark a (X) in the square at the left of the name of the person for whom you desire to vote." Each one of these sentences at the head of each column shall be enclosed in a rule the same as the names of each candidate, and at its end shall be a square directly over the squares in which marks are to be made. That square to have a black cross which shows the voter how to mark the ballot. Beginning at the top of the left hand column, at the left of the line in black type, shall appear the position for which the names following are candidates. Following this shall come the names of each candidate for that position, enclosed in a light face rule, with a square to the extreme left. The parallel rules containing the names to be three-sixteenths of an inch apart. Each position, with the names running for that position, shall be separated from the following one by a black face rule, to separate each position clearly. The positions shall be arranged as follows: Provided, Nominees for such positions are to be selected in said city under the provisions of this act: First, judiciary; next, legislative; next, city; next, supervisors at large, and ward officers.</p>
How used.	
Proviso.	
Duty of clerk relative to ballots.	<p>SEC. 4. It shall be the duty of the city clerk of the city of Grand Rapids to provide and prepare a sufficient number of ballots to be used at such primary election, at least two ballots to each elector according to the vote at the last preceding general election. A proof copy of the ballot shall be placed on file at the office of the said city clerk of the city of Grand Rapids, and to be open for the inspection by candidates named thereon, at least five days prior to said primary election. The ballots shall be delivered by said city clerk to the several chairmen of the several boards of inspectors in the several wards or voting precincts of said city in the manner provided by the general election laws of the State of Michigan for the delivering of ballots. The names of candidates under headings designating each official position shall</p>

be alternated on the ballots in the printing in the following manner:

First. The forms shall be set up with the names arranged in alphabetical order by surnames. In printing each set of tickets for various wards, the positions of the names shall be changed in each office division in which there are the most names. As nearly as possible an equal number of tickets shall be printed after each change. In making the changes of position, the printer shall take the line of type at the head of each office division and place it at the bottom of that division, shoving up the column, so that the name that was second before the change shall be first after the change. After the ballots are printed, before being cut, they shall be kept in separate piles, one pile for each change of position, and shall then be piled by taking one from each pile and placing it upon the pile to be cut, the intention being that every other ballot in the pile of printed sheets shall have names in a different position. After the pile is made in this manner, then they may be cut and placed in blocks as provided by the general election law. There shall be no printing on the back of the ballots or any mark to distinguish them but the initials of the chairman of the board of inspectors.

Preparation
of ballots.

SEC. 5. It shall be unlawful for the printer of such ballots, or any other person, to give or deliver to, or knowingly permit to be taken any of said ballots by any person other than the said city clerk, for whom such ballots are being printed; or to print, or cause or permit to be printed any ballot in any other form than the one prescribed by this act, or with any other name thereon, or with names misspelled, or the names arranged in any other way than that authorized and directed by said city clerk.

Unlawful
distribution
of ballots.

SEC. 6. Booths and railings, with gates, shall be provided in the various voting precincts of said city for said primary election in the manner now provided in section three thousand six hundred thirty-one of the compiled laws of one thousand eight hundred ninety-seven, relating to the conducting of general elections; and said section is hereby made applicable to primary elections held under this act.

Booths, etc.

SEC. 7. The primary election shall be held in each voting precinct in said city at the place designated by the officers or persons whose duty or duties it is to designate the places for holding the general election. At least ten days prior to the time herein set for the holding of such primary election the city marshal of said city shall give notice of the holding of such election, which notice shall be in writing, and be delivered to the several chairmen of the several boards of primary election inspectors in said city. Said notice shall also designate the offices for which candidates shall be chosen.

Where
primary
election held.

Notice.

SEC. 8. The several boards of primary election inspectors to manage and conduct such election, in the various voting

Boards of
election
inspectors.

How appointed.	precincts, shall be appointed by the common council in the same manner as inspectors of election are now chosen, but the majority of each board shall be chosen from the political party which cast the highest number of votes at the last preceding general election. The said boards of inspectors
To consist of three members.	in each of the said voting precincts of said city, shall consist of three members, of whom the first appointed shall be chairman, and they shall hold office for the term of two years next following their appointment, and until their successors are appointed, and they shall receive three dollars for their services at such primary election, to be paid from the same fund and in the same way as in general elections. In case
Failure to appear.	one or more of the persons so appointed shall from any cause fail to appear at the time and place specified for the holding of said primary election, his or their places shall be filled on said board from among the electors at the opening of the polls, in the manner prescribed by the general election law of this State. The said board shall have the power to ap-
Powers of board.	point from the electors present at said polls two clerks and two gate keepers, whose duties shall be the same as those prescribed by the general election law of this State; said clerks shall receive three dollars each for their services and said gate keepers shall each receive one dollar and fifty cents for services at such primary election to be paid as in general elections.
General election law applicable.	SEC. 9. The following sections of the general election law, relating to the arrangements at polling places, the ballot boxes, booths, inspectors, gate keepers and clerks, are hereby made applicable to primary elections held under this act, to wit: Sections three thousand six hundred thirty-one, three thousand six hundred thirty-two and three thousand six hundred seventeen of the compiled laws of one thousand eight hundred ninety-seven.
When polls open.	SEC. 10. The polls in the several voting precincts on the primary election day shall be kept open for the purpose of voting from twelve o'clock noon until eight o'clock in the evening.
Registration of electors.	SEC. 11. All persons entitled to registration as voters in the voting precinct on the day of the primary election, for the purpose of voting at the ensuing election, and all persons registered as having voted at the last preceding general election, shall be entitled to participate in the primary election. But no voter shall receive a primary election ballot, or be entitled to vote, until he shall have first been duly registered as a voter then and there in the manner provided by law; upon which registration (unless challenged, and if challenged, then only in the event that the challenge is determined in favor of the voter), he shall be entitled forthwith to receive the ballot of the political party with which he then and there states he is affiliated. It shall be the duty of the several boards of registration in the various voting precincts in ad-
Additional duties of board.	

dition to all other duties required of them by law, to make a duplicate copy of the names of the electors registering at such general registration in a book to be provided them for that purpose. Upon the completion of said registration the book of names of said electors shall be delivered to the proper officers as are now delivered under the general registration law of this State. Said officers to deliver one of these books of registration containing a list of electors so registered to the chairman of the election inspectors, to be used by said election inspectors at the said primary election, and no person or persons shall be allowed to vote at said primary election unless he shall have complied with the terms and conditions herein stated and of the general election law relative to registration.

SEC. 12. When an elector has received his ballot, he shall forthwith retire to an unoccupied booth, and without undue delay mark the ballot as he sees fit with the pencil to be found in such booth. If he soils or defaces said ballot he shall at once return the same and get a new ballot. In marking his ballot he shall observe the following rules: The elector shall designate his choice on his ballot by marking a cross (X) in each of the small squares opposite the names of the candidates for whom he desires to vote, being careful not to vote for more candidates for an office than are to be elected thereto at the election to follow the primary election, as indicated on the ballot at the left of each office for which candidates are to be selected. The provisions of section three thousand seven hundred fifty-one of the compiled laws of eighteen hundred ninety-seven, are hereby made applicable to this act.

How elector
to proceed
with ballot.

SEC. 13. When an elector has prepared his ballot, he shall fold it with the edge upon which are the initials of the chairman uppermost, and so fold it as to conceal the face thereof, and all marks thereon, and shall hand the same to the inspector of said primary election who is in charge of the ballot box. The folded ballots, when returned, shall be placed in the proper ballot boxes, and the name of the voter shall be checked off upon the registration list kept by said board of inspectors of primary election.

To fold ballot.

SEC. 14. As soon as the polls are finally closed, the board of primary election inspectors shall proceed to canvass the votes. Such canvass shall be public. The ballot boxes shall be opened and the whole number of ballots counted. If the ballots shall be in excess of the number of electors voting, according to the poll lists, the number in excess shall be drawn out as provided in section three thousand six hundred forty-six of the general election laws of this State. Except as herein otherwise provided, the matters pertaining to the canvass of votes shall be conducted in the manner prescribed for the canvassing of votes at the general election in this State.

Canvass of
votes.

Tally sheet,
form of.

What tally
sheet to show.

To whom
delivered.

Board of
canvassers.

Statement,
what to
contain.

Names of
candidates
and number
of votes
received.

SEC. 15. Two sets of tally sheets and two sets of return blanks for each political party having candidates to be voted for at said primary election, shall be furnished for each voting precinct by the said city clerk, at the same time and in the same manner that the ballots are furnished, and shall be substantially as follows: Each tally sheet, or the first sheet of each tally book to be furnished shall be headed, "tally sheet for (name of political party), (name of city), (ward), (voting precinct), for a primary election held (date). The names of the candidates shall be placed on the tally sheets in the order in which they appear on the official ballots, and in each case shall have the proper party designation at the head thereof. Opposite the names of the respective candidates shall be placed the whole number of votes cast for him at said primary election. This tally sheet, together with the ballots used shall be replaced in the ballot boxes and delivered by the chairman of said board of primary election inspectors to the city clerk within twenty-four hours after the close of the polls. Said boxes shall be returned and sealed. The key or keys shall remain in the custody of one of the inspectors elected by the board and the seal shall remain in the custody of the chairman of the board. Said keys shall be returned to the clerk within fifteen days after said election or as soon thereafter as the result of said election shall have been declared by the board of canvassers.

SEC. 16. The common council of said city of Grand Rapids shall appoint three of its members, none of whom shall be a candidate for nomination for office at the primary election next ensuing and who shall be chosen from the dominating political parties represented in said county, as a board of canvassers. Said persons so appointed shall constitute the canvassing board for officers to be nominated and voted for at said primary election for said city, and who shall receive as compensation for said services so rendered a sum not exceeding three dollars per day for services actually rendered for canvassing said primary election returns. Said board shall make and complete such canvass as soon as possible after said primary election, and shall work continuously until all returns are fully canvassed and returned. It shall be the duty of said board to send for any missing returns, and it shall be the duty of the city marshal to obey and execute the orders of said board with reference thereto.

SEC. 17. The canvassing board shall make and prepare a statement, the same to be signed by the said board and filed in the office of the city clerk:

First. A statement containing the names of all candidates voted for at the primary election, with the number of votes received by each, and for what office. Said statement to be made as to each political party separately;

Second. A statement of the names of the persons or candidates of each political party who are nominated, to-wit: Those persons or candidates of such political party who received the highest number of votes for the respective offices. And where there is more than one person to be elected for a given office, at the ensuing election, there shall be included in said statement of nominations the names of so many candidates of such party receiving the next highest number of votes for that office as there are persons to be elected to such office at said ensuing election. Said statement shall in like manner be made separately as to each political party;

Persons
nominated
by each
party.

Third. A statement of the whole number of electors registered and the number of ballots cast at such primary election. If two or more candidates of the same political party are tied for the same office, the tie shall be determined by lot, to be cast then and there, by and as the canvassing board may determine. It shall be the duty of the city clerk, upon the completion of its canvass by said canvassing board, to mail or deliver in person to each candidate so nominated a notice of such fact, and that his name will be placed on the official ballot at the ensuing election.

Electors
registered,
ballots cast.

Duty of clerk.

SEC. 18. The persons whose names are so properly placed in said nominating statements shall be and constitute the nominees of the several political parties in which they were candidates, and such names shall be printed upon the official ballots prepared for the ensuing election in like manner as if such persons had been duly nominated by a party convention of delegates, with a certificate thereof filed as required by said general election law. No names of candidates of any political party which is required to make nominations under this act for officers to be voted for, shall be placed upon the official election ballot unless such candidates have been chosen in accordance with this act, except in case of a vacancy occasioned by death, removal or resignation of any candidate so chosen, or arising otherwise, and in such event the city campaign party committee of the same political party, or if there be no such committee, then a mass convention of such party may fill such vacancy, and except in case of a candidate or candidates desiring to be placed on said official ballot having been nominated in mass convention as an independent candidate or candidates by at least two hundred electors of said city; before the name or names of such candidates shall be placed upon said official ballot, he or they shall pay to said city clerk the fee required by other candidates for the same offices. The name of such new candidate or candidates to fill vacancies to be certified under oath to the city clerk by the chairman and secretary of such committee or convention, who shall place them upon said official ballot after the fees as required by other candidates for the same offices have been paid.

Nominees.

How chosen to
fill vacancy.

Chairman and
secretary.

SEC. 19. Candidates so nominated of the several political parties shall select the chairman and secretary of their respective city and legislative campaign committees.

Persons
guilty of
misdemeanor.

SEC. 20. Any person who shall, while the polls are open at any polling place on any primary day, do any electioneering in said polling place, or within one hundred feet of said polling place; any person who shall offer or give to any other person any intoxicating liquors or drink any intoxicating liquors within any such polling place; any person who shall solicit or receive, directly or indirectly, any money or any promise of place or position or any valuable consideration for his vote or support at any such primary election; any person who shall offer any voter any money or reward of any kind, or who shall promise any place or position for the purpose of securing such votes or vote or support at any such primary election; any person who shall knowingly violate any of the provisions of this act; any person who shall refuse to perform any duty enjoined upon him hereby; any person who shall vote or attempt to vote more than once or in more than one election district at the same primary election, shall be guilty of a misdemeanor. Any person who shall be convicted of any of the acts or omissions which are by this act declared to be misdemeanors, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

Penalty.

Repealing
clause.

SEC. 21. All acts or parts of acts in anywise contravening the provisions of this act are hereby repealed.

Approved June 6, 1901.

[No. 472.]

AN ACT to amend sections fifty-seven and sixty-one of chapter seven; sections six, seven, eight, nine, ten, twelve and thirteen of chapter ten; sections one, forty-two and forty-three of chapter eleven; and section eleven of chapter fifteen, of the session laws of eighteen hundred eighty-three, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June seven, eighteen hundred eighty-three, and to repeal sections fifty-eight and sixty-three of chapter seven, and section eighteen of chapter twenty thereof.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections fifty-seven and sixty-one of chapter seven; sections six, seven, eight, nine, ten, twelve and thirteen of chapter ten; sections one, forty-two and forty-three of chapter eleven; section eleven of chapter fifteen of

the session laws of eighteen hundred eighty-three, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," be and the same are hereby amended so as to read as follows:

CHAPTER VII.

SEC. 57. The common council shall have power to require the owners or occupants of any lands in said city to build, when necessary, all sidewalks in said city in front of the property of such owners or occupants, and the common council may by ordinance, or resolution, prescribe the dimensions of all sidewalks to be built in said city, and prescribe the material therefor, and to be used therein, and such ordinance or resolution may fix the time within which the owner or occupant of any land, in front of which any sidewalk is ordered to be built, shall build the same and the common council may prescribe such penalty for violation of such ordinance as it may deem proper, not exceeding the amount limited by this act. The building of all sidewalks in said city shall be done under the direction of the department of public works of said city, and if any person shall refuse or neglect to build any sidewalk in front of his or her premises of such material and within the time fixed by the ordinance or resolution aforesaid, the department of public works of said city shall construct the same, and the cost and expense thereof shall be paid out of the contingent fund, and such cost and expense of building such sidewalk may be recovered from the owner or occupant of land in front of or adjacent to which such walk shall be built, with costs of suit in an action to be brought by said city in any court of competent jurisdiction, or such costs and expenses shall be certified to the board of assessors by said department of public works, and may be assessed upon the lands of such owner or occupant adjacent to such walk in the manner as provided for assessments for other public improvements: Provided, Said assessment roll shall be made in two parts, to be designated parts one and two, and shall be due and payable within such time as the common council may by ordinance or resolution prescribe, and like interest shall be added thereto, and like penalties in cases of non-payment shall be imposed and added thereto in the same manner as is herein provided for assessments for street paving, and such interest and penalties shall be payable and collected with the part or parts to which the same may be added, and the premises assessed therefor may be sold in the same manner as is provided herein for the sale of property for other public improvements, and when collected shall be placed to the credit of the contingent fund. All expenses of repairing sidewalks within said city shall be raised by taxation upon the real and personal property

Construction
of sidewalks
by individuals.

Neglect or
refusal.

Proviso as to
assessment
roll.

Expense to
be paid out
of general
road fund.

in said city, liable to taxation, and credited to and paid out of the general road fund.

When council may set aside certain proceedings, etc.

SEC. 61. Whenever in any proceedings heretofore or hereafter made for the purpose of paying any street or alley or public places, or for the construction or repairing of any sidewalk or sewer, or for the improvement of any street, or for any public purpose, or for the taking of any private property for public use, or for the opening and extending of any highway, or for other public purpose or for damages to any property occasioned by any public improvement of any kind, and any steps or proceedings required to be taken by any law, or by the charter of the city of Detroit, shall have been omitted or imperfectly taken, and any such improvement shall have been made or constructed in whole or in part thereunder, and private property shall have been benefited thereby, and whenever any special assessment shall heretofore have been or hereafter be made therefor, and the same shall, in the opinion of the common council, be invalid, whether such invalidity arises from defects or omissions in the proceedings had and taken for such improvement, or in the assessment made therefor, and the same shall, in the opinion of the common council, be invalid, said common council may vacate and set the same aside, and when any errors or omissions may appear in any such proceedings in the making of said improvement, or in any assessment roll or in any certificate thereto, the common council may order the same to be corrected, and when any such special assessment shall be so vacated or held invalid by the judgment or decree of any court of competent jurisdiction on account of any error or omission in said proceedings or in said assessment, the common council may cause a new special assessment to be made, for the purpose for which the original assessment was made, and no special assessment or re-assessment heretofore or hereafter made shall be vacated, set aside, or held invalid by any court on account of any defect or omission in the proceedings had or taken in the making of said improvement, or in such assessment roll, unless the person or persons complaining thereof be required to pay such sum or sums as said court may find the property assessed in said assessment roll shall have been benefited by the making of such improvement. Such new assessment shall be made in the manner for making original assessments of like nature, and whenever the assessment or any part thereof, assessed upon any lot or parcel of real estate by the original assessment set aside or held invalid as aforesaid has been paid, and shall not have been refunded, it shall be the duty of the receiver of taxes to apply said payment upon the re-assessment of said lot or parcel, or any part thereof, re-assessed, and to make a minute thereof upon the new assessment roll, and such re-assessment shall, to the extent of such payment, be deemed paid and satisfied. All the provisions of the charter making said assessment a lien upon the lots and

Errors to be corrected.

Duty of receiver of taxes as to new assessments.

Assessments a lien.

parcels of real estate therein, and making the same a debt due from the owner thereof to the city, and also those relating to the collection of special assessments, shall apply to re-assessments made under this section: *Provided, That nothing in this section shall be construed as in any manner affecting proceedings heretofore vacated or set aside by the decree of any court. The common council shall have power to agree with any street railway company for the surrender of any rights of said company to operate its road on any street or avenue, on condition that the common council shall not, without its consent, or during the existence of such rights, grant to any other company the right to maintain or operate its street railway on such street or avenue: *Provided, That said agreement shall not prevent the common council from granting rights to operate roads on any streets crossing such street or avenue.**

Proviso.

Power of council relative to street railways.

Proviso.

CHAPTER X.

SEC. 6. It shall be the duty of the board of assessors to cause a notice to taxpayers of said city to be published in the daily newspaper published by the printer for said city, and in one other daily newspaper published in said city for two weeks prior to the first day in April in each year; that the assessment rolls will be completed on the first of April. Any person considering himself aggrieved by reason of any assessment, may complain thereof, either verbally or in writing, before said board of assessors, and on sufficient cause being shown by the affidavit of such person, by oral proof, or by other evidence to the satisfaction of such board, it shall review the assessment complained of, and may alter or correct the same as to the person charged thereby, the property described therein, and the estimated value thereof. The concurrence of a majority of the board shall be sufficient to decide any question of altering or correcting any assessment complained of. The board of assessors, or a majority of them, having completed the review and correction of said assessment rolls, shall sign, and on the third Tuesday of April in each year, return the same to the common council of the city: *Provided, That the completion and signing of the auxiliary book of the board of assessors' office, shall be deemed a completion of the rolls: And provided further, That the receipt by the common council of the communication from the board of assessors announcing the completion of the rolls shall be deemed a delivery of said rolls to the common council.*

Notice to taxpayers.

Persons aggrieved may complain to assessors.

When assessment roll signed and returned.

Proviso.

Further proviso.

SEC. 7. The common council, after receiving said assessment rolls, shall, at ten o'clock a. m. of the first succeeding day proceed to consider the same, and any person considering himself aggrieved by the assessment of his property, and the decision of said board of assessors thereon may appeal to the common council; their appeal shall be in writing and

Aggrieved persons may appeal to council.

Council may refer to a committee.	shall state, specifically, the grounds of the appeal and the matter complained of; together with the address of such appellant, and no other matter shall be considered by said common council. Said common council may refer said assessment roll and appeals to a committee of said council for consideration, and said committee shall give notice to any person who has filed an appeal as above provided of the time and place of the meeting therefor, which notice may be made in writing, by delivering the same to such persons or leaving the same at his place of residence or place of business with some person of proper age and discretion, or by mail, to the address of such appellant. While acting upon said assessment rolls or appeals any member of the said board of assessors may, and on request of said council, or committee, by resolution, shall meet with said council or committee, or make such explanations as he may deem requisite in any case.
Council to correct errors, etc.	<p>SEC. 8. The said council or said committee shall hear and determine all appeals in a summary manner and correct any errors which they may discover in the assessment rolls, and place thereon the names of any persons and the descriptions of any property not already assessed, and assess the same and may increase or diminish any assessment as they may see fit: Provided, They shall not increase any assessment of property without giving a reasonable opportunity to persons owning or having charge of the same, if known, to appear and object thereto, and may continue the consideration of said assessment rolls and hearing of said appeals from session to session for a period not exceeding sixteen days after the time when they are to be first considered as above provided. Said committee shall report to the common council their doings in the premises and the same shall be then considered by the council, who may adopt, change or amend the same, in whole or in part, and after due consideration thereof said rolls shall be fully and finally confirmed by said council, and shall remain as the basis of all taxes to be levied and collected in the city of Detroit according to property valuation, until another assessment shall have been made and confirmed as above provided.</p>
Proviso.	
Committee to report to council, etc.	<p>SEC. 9. After the assessment rolls shall have been fully and finally confirmed, as provided in the preceding section, it shall be the duty of the board of assessors to cause the amount of all taxes, in dollars and cents, authorized to be assessed and collected in each year, to be ratably assessed to each person named or lots described, upon and according to the aggregate valuation such person or lots shall have been assessed in said assessment rolls, or books prepared for that purpose to be known as the tax rolls for each ward, a column showing the amount of city taxes assessed to each person or lots in each year; when said tax rolls shall have been completed, the board shall deliver the same to the controller, who shall cause the same to be delivered to the receiver of taxes,</p>
Assessment of taxes.	
Rolls to be delivered to controller, etc.	

and take his receipt therefor and charge him therewith. All city taxes shall become a debt against the owner from the time of the listing of property for assessment by the board of assessors, and shall become due and payable forthwith upon the receipt of the tax roll by the receiver of taxes, and the receiver of taxes shall forthwith, upon the reception of said rolls, give six days' notice by publication in the official daily paper published in said city, and by posting the same in at least six public places in each ward, which notice shall be a sufficient demand for the payment of all taxes on said rolls, that the general tax rolls have been deposited with him, and that payment of the taxes therein specified may be made to him at any time before the thirtieth day of December thereafter; that no addition will be made to taxes paid before the first day of August, but that an addition of one per cent of every unpaid tax will be made thereto on that day, and a like addition of one per cent on every thirtieth day thereafter until such addition shall amount to six per cent of such tax: Provided however, That when a person shall, on or about the twenty-fifth day of July, hand to the receiver of taxes a list of the property on which he wishes to pay the taxes, and shall be unable to pay said taxes before the first day of August on account of a pressure of business in the receiver's office, then he shall not be charged any percentage if he pay said taxes by the tenth day of August. Upon the receipt of any tax the receiver shall mark the same paid upon the proper roll and give a receipt therefor. Any person owning an undivided share, or other part or parcel of real property assessed in one description, may pay on the part thus owned by paying an amount having the same relation to the whole tax as the part on which payment is made has to the whole parcel. The person making such payment shall accurately describe the part on which he makes payment, and the receipt given and the record of the receiving officer shall show such description and by whom paid. Any person having a lien on property may pay the taxes thereon, and the same may be added to his lien and recovered with the rate of interest borne by the lien. On the first day of January following the time when any tax shall become due and payable, the receiver shall add to every such tax six per cent of the amount of the tax and of such addition, as are hereinbefore specified shall thenceforth be the unpaid tax, and shall bear interest from that day at the rate of ten per cent per annum till paid, except as is herein otherwise provided. On or before the fifteenth day of January the receiver shall add to the tax rolls of the unpaid taxes of each ward an additional column, which shall show the augmented amount of every such tax. Immediately after completing such roll he shall cause a notice to be published in five successive numbers of at least two daily newspapers published in said city, stating that said roll of unpaid taxes has been

Notice to be given when taxes payable.

Additions to taxes, when made.

Proviso.

Receipt.

Persons having a lien on property, etc. When receiver to add six per cent to tax.

Notice of roll of unpaid taxes, etc.

ceased person immediately previous to his death, or the executor or administrator may assign the certificate of purchase, and the deed of conveyance may issue to the assignee thereof; and in like cases, which have heretofore occurred, the same rule shall apply, and all deeds and conveyances heretofore issued in the name of any deceased person, who, if living at the time of the execution thereof, would have been entitled thereto, shall have like effect as above provided.

Redemption
of property
sold, etc.

SEC. 13. When any lands, tenements and hereditaments shall be sold according to the foregoing provision for the payment of any assessment or tax, as aforesaid, if the owners or occupants or parties in interest shall within one year after such sale deposit with the treasurer of said city, for the use of the purchaser the full amount of the assessment or tax for which such real estate was sold, and such interest as the common council shall prescribe, as hereinafter authorized, together with the amount of the costs and charges, and any sum or sums which said purchaser shall have paid to the city treasurer on account of sales thereof for taxes assessed thereon for any previous years, together with interest thereon at the rate of ten per cent per annum the term for which such real estate was sold shall cease and be determined at the time of making such deposit, subject, however, to the right of the purchaser, his heirs, executors, administrators or assigns to remove any building or building materials, as hereinbefore provided.

CHAPTER XI.

Division of
revenues
into funds.
General fund.

SECTION 1. The revenues and moneys of the corporation shall be divided into the following funds, viz:

Contingent.

First. General fund, which shall be appropriated to defray the expenses of the city of Detroit, for the payment of which, out of some other fund, no provision is herein named;

Interest.

Second. Contingent fund, to defray the contingent expenses of said city;

Sinking.

Third. Interest fund, to pay the interest on the funded debt of the city;

Fire com-
mission.

Fourth. Sinking fund, to pay the funded debt of the city;

Fifth. Fire commission fund, to defray the expenses of purchasing lots, erecting engine houses thereon, purchasing engines and other fire apparatus and all other expenses necessary to maintain the fire department of said city;

Poor com-
mission.

Sixth. Poor commission fund, to defray the expenses of providing for and taking care of the poor of said city;

Road.

Seventh. General road fund, to defray the expenses of work within the lines of intersections of cross streets, the cost of crosswalks, of repaving, resurfacing, cleaning and repairing of streets, highways, alleys and avenues of the city, and cleaning and repairing of alleys, and also the whole cost

of paving between the tracks of street railroads, whenever the city has by contract or ordinance obligated itself so to do;

Eighth. Public sewer fund, to defray the expenses of constructing and maintaining public sewers in said city; Sewer.

Ninth. Street opening fund, to defray the expenses of opening, widening, vacating, altering, straightening, extending or abolishing any highways, streets, alleys or avenues in said city; Street opening.

Tenth. Street paving fund, to defray the expenses of grading, paving and graveling, macadamizing or planking highways, streets, alleys, sidewalks and crosswalks in front of, or adjacent to private property, and of putting curbstones and culverts therein; Paving.

Eleventh. Public building fund, for purchasing any real estate for the erection thereon of any public buildings, and to defray the expenses of erecting, repairing and preserving such public buildings as the common council is authorized to erect and maintain, and are not herein otherwise provided for, which fund shall from time to time be divided into special building funds, to defray the expense of erecting, repairing and preserving the particular building or buildings for which such special building fund may be constituted or raised; Building.

Twelfth. Recorder's court fund, to maintain the recorder's court; Recorder's court.

Thirteenth. Public lighting fund, to defray the expense of lighting the public streets, parks, alleys and public places, public markets and public buildings of said city; Lighting.

Fourteenth. Deficiency fund, to cover the deficiency in the various other funds caused by the failure to collect taxes appropriated to such funds in any fiscal year. There should be paid into said deficiency fund all back taxes collected for all years previous to the fiscal year then current, and at the close of each fiscal year the controller shall transfer from the deficiency fund to each fund for which an appropriation was made by taxation that year, the amount of money remaining uncollected of said appropriation. If there shall not be sufficient money in said deficiency fund at the close of any fiscal year to cover the amount of the entire tax levy for that year remaining uncollected, the controller shall transfer from the moneys received from liquor licenses an amount equal to the difference between the total uncollected taxes for that year and the amount of money in the deficiency fund: Provided, That of the moneys received from liquor licenses during each fiscal year not less than fifty thousand dollars shall be held in reserve for the purpose of making the transfer as above provided. If at any time during the year the receipts from taxes for any fund shall be insufficient to pay the expenses for which said fund is constituted within the appropriation therefor, the common council may direct the controller to advance to said fund from the deficiency fund an amount not to exceed the amount of taxes for that

	year due said fund and remaining uncollected; the amount of taxes thus advanced shall upon their collection be credited direct to the deficiency fund;
Garbage.	Fifteenth. Garbage fund, for defraying the expense of the removal and destruction of garbage and vegetable and animal refuse from said city;
Other funds.	Sixteenth. Such other funds as the common council may constitute for special purposes, not inconsistent with nor to be taken from any of the foregoing mentioned funds;
Paving bonds.	SEC. 42. The common council in addition to the powers hereinbefore granted, shall have power and it shall be their duty, to issue bonds upon the faith and credit of the city for the entire cost of paving any street, or the paving or re-paving of any alley in said city, or the construction of any lateral sewer, as estimated and assessed whenever the common council shall have ordered the paving of said street or the paving or re-paving of any alley or the construction of such lateral sewer, and the assessments for the cost thereof shall have been duly made according to law, and the faith and credit of the city shall be pledged for the payment of the principal and interest of said bonds. Said bonds or the proceeds thereof, should they be purchased by the sinking fund commissioners, shall be delivered to the contractor within thirty days after his completion of the pavement of said street, or the pavement or re-pavement of said alley, or the construction of said lateral sewer according to specifications and its acceptance by the department of public works, and the common council.
How bonds denominated.	SEC. 43. Said bonds shall be denominated "street" or "alley paving bonds," or "lateral sewer bonds," and shall bear the name of the street or alley or the number of the lateral sewer for paving or re-paving or construction of lateral
When payable.	sewer, for which they are issued. One-quarter thereof shall be payable in one year, one-quarter in two years, one-quarter in three years, one-quarter in four years, from the date of their issue. They shall bear interest at a rate not exceeding four per cent per annum, payable annually. They shall be regularly dated and numbered in the order of their issue, and shall be issued under the seal of the corporation, signed by the mayor and countersigned by the controller. The controller shall keep an accurate record of such bonds, the number, date and amount of each, and the person or persons in whose name registered, and all transfers thereof.

CHAPTER XV.

Department of public works, powers and duties.	SEC. 11. The department of public works, under the supervision and direction of the common council, shall have the entire charge and control of the cleaning of streets and alleys, repairs of paving and building of wooden crosswalks in the
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city of Detroit. They shall report to the controller of the city of Detroit on or before the first of February of each year, an estimate of each of the sums required for working or cleaning of streets, repairs of paved streets and crosswalks, building of wooden crosswalks in each ward of the city of Detroit; also for the repair or construction of public wharves, docks, bridges, platforms, culverts, receiving basins, sewers, public drains, buildings, lamp posts and drinking or ornamental fountains, erected by the city or said board, and of all the public works to be carried on under their supervision during the fiscal year, or for any other of the purposes for which money may be expended under the provisions of this act. The sum required for each ward for cleaning of streets shall be levied and assessed as the present city tax is assessed, in accordance with the charter and ordinances of the city of Detroit.

Amount
required
assessed.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 473.]

AN ACT to amend the charter of the city of Grand Rapids.

The People of the State of Michigan enact:

SECTION 1. That section five of title two of the charter of the city of Grand Rapids be amended to read as follows:

Section
amended.

SEC. 5. At said first annual election, and annually thereafter, there shall be elected in each ward one constable who shall hold his office for the term of one year and until his successor is elected and qualified. At the first annual election after the passage of this act, and every two years thereafter, there shall be elected by the electors of the whole city, one mayor, one city attorney, one clerk of the superior court, and one clerk of the police court, each of whom shall hold his office for the term of two years and until his successor is elected and qualified. At the second annual election after the passage of this act, and every two years thereafter, there shall be elected by the electors of the whole city, one treasurer, one clerk, one comptroller, one marshal and one clerk of the justice courts, each of whom shall hold his office for the term of two years and until his successor is elected and qualified: Provided, That no person shall be elected or appointed to any office created by this act, who shall hereafter be a defaulter to said city, or to the State of Michigan, or to any county, city or village therein, or who shall use public funds under his control contrary to law; and any person shall be considered a defaulter who shall refuse or neglect, for sixty days after demand made, to account for and pay over

Elections and
officers.

Proviso
relative to
defaulters.

to the officer, board or body authorized to receive the same, any public money which has come into his possession.

Section amended. SEC. 2. That section seven of title two of the charter of the city of Grand Rapids be amended to read as follows:

Highway commissioner. SEC. 7. The aldermen elect of the common council, on the first Monday in May after the passage of this act, or within a reasonable time thereafter, and on the first Monday in May of every succeeding year, or within a reasonable time thereafter, shall elect three highway commissioners, whose terms of office shall be one year and until their successors are elected and qualified, and whose duties and salaries shall be prescribed by the common council.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 474.]

AN ACT to amend section one of chapter eight and sections five and seven of chapter eleven of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June seventh, eighteen hundred eighty-three.

The People of the State of Michigan enact:

Sections amended. SECTION 1. That sections five and seven of chapter eleven of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," be and the same is here amended so as to read as follows:

Tax for interest fund. SEC. 5. The common council may annually levy, assess and collect on the assessed value of all real and personal estate in said city, made taxable by the laws of this State, taxes for the purposes of the interest fund, not exceeding in amount a sufficient sum to pay the interest accrued or to accrue, on the funded debt of said city for the year for which such taxes are levied: Provided, That the common council may further provide in such annual tax levy for a sum sufficient to cover any deficiency which may have occurred, or likely to occur, to this fund by reason of the non-payment of taxes, or from any other causes whatever. The common council shall have power to levy taxes for the purposes of the sinking fund, as follows: When any bonds authorized to be issued shall have been sold and delivered, and the proceeds thereof paid into the city treasury, there shall be raised by general taxation for the redemption of said bonds, during the term of said bonds, seventy-five per cent of the face value thereof, which amount shall be levied in equal annual in-

Proviso.

Tax for sinking fund.

stallments: Provided however, That this requirement shall not apply to any bonds issued prior to July first, one thousand nine hundred and one: Provided further, That the amount to be raised for the redemption of the said bonds shall not exceed the sum of fifteen thousand dollars in any one year.

Proviso.

Further
proviso.

SEC. 7. The common council shall also have power, by and with the consent of the board of estimates, to provide for the public sewer fund for the construction of trunk or public sewers, and the public building fund, by borrowing upon the faith and credit of said city, and upon the best terms that can be made, such sums of money as shall be deemed necessary and expedient, and to issue the bonds of the city therefor in lieu of raising the same by taxation: Provided however, That the gross debt of the city after deducting the means in the sinking fund of said city and not including the water debt shall never exceed two per cent of the assessed value of all the real and personal property in said city; and all bonds or other indebtedness issued or created in excess thereof shall be void. Bonds issued by authority of this section shall be respectively denominated "public sewer bonds" and "public building bonds," and shall mature in thirty years from date of issue, and bear interest at a rate not exceeding four per cent per annum. All bonds issued by the city of Detroit shall be exempt from city taxation, shall be issued under the seal of the corporation, signed by the mayor and countersigned by the controller, and except special assessment bonds which are by law otherwise provided for, shall be for sums of not less than five hundred dollars each, and shall not be negotiated at less than their par value, and may be in registered or coupon form. The controller shall keep an accurate record of all bonds and of the class of indebtedness to which they belong, the number, date and amount of each bond, its rate of interest, when and where the same is payable, and the person, persons, firm or corporation to whom it is issued. When the proceeds of the sale of any bonds shall have been paid into the city treasury, the principal thereof shall be credited to the funds for which the bonds were issued, and be applied exclusively to the purposes for which said bonds are constituted, and the premiums and accrued interest received, if any, shall be credited to the sinking fund. When any issue of bonds is duly authorized by law, and the controller shall have first advertised, in such manner as the common council shall direct, for sealed proposals for the purchase of the bonds about to be issued, and shall have received proposals for the purchase of such bonds, he shall report the bids to the common council. The common council having authorized the sale of such bonds, according to the proposals for the same, the controller shall prepare such an amount of the issue only as may be ordered sold; it shall be his duty in the preparation of said bonds to cause to be written or printed upon the bond, on the outside fold of

Power of
council to
provide for
sewer fund.

Proviso.

Bonds, how
denominated.

Exempt from
taxation.

Record of
bonds.

Proceeds of
bonds.

Preparation
of bonds.

the same, so that the same may always be in plain sight, the following words, to be signed by the treasurer of the city, and the bonds not to be valid without his signature: "This bond has been made and issued in compliance with law; has been duly registered in the books of this office, and the proceeds of the same, together with all the premiums on sale and interest accruing before delivery, have been paid into this office.

"Detroit,, 19..

".....

"City treasurer."

To whom
bonds
transmitted.

Duty of
treasurer.

Payment of
coupons, etc.

After having caused said bonds to be duly executed and recorded in the books of his office, with all the particulars as required by the charter, he shall transmit the same, with the name of the purchaser, number, date, time and denomination of bonds, to the city treasurer taking his receipt for the same, and shall also report the entire transaction to the common council at its next succeeding session. It shall be the duty of the city treasurer, on receipt of said bonds, to immediately notify the parties to whom the bonds have been awarded, that the same are ready for delivery, and deliver to said parties the bonds according to their accepted bids for the same, charging them with the premium, if any is included in the proposals, and the interest accrued on the bonds at the date of delivery, and further comply with this chapter by recording said bonds and signing the blank as aforesaid, and report to the common council, at its next following session, the full particulars of the delivery of the bonds, which report, together with the report of the controller, heretofore mentioned, shall be referred to the committee on ways and means, who shall compare the report of the treasurer with that of the controller, and report to the council upon the correctness of the same, when they shall have found them to be correct. It shall be the duty of the city treasurer, whenever coupons are presented at his office for payment, to first examine his coupon book to ascertain if the bond from which such coupon is cut has been regularly issued, and the proceeds thereof have been regularly paid into the treasury, and if the payment of such interest is due. And if such be found to be the fact, he shall transmit said coupons, with the certificate of their correctness, to the city controller. It shall be the duty of the controller upon the receipt of said coupons and certificate of the treasurer, to examine the same, comparing them with records of bonds in his office, and previous payment of coupons, and, if found correct, issue his warrant on the treasurer in payment of the same, whereupon he shall cause said coupons to be firmly pasted in a book prepared for such purpose, which book shall be so prepared and ruled, with spaces for each coupon, under a complete record of the bond from which said coupon is cut, together with the date of payment and the name of the party

to whom payment is made, so that the said book will at all times properly and plainly display the complete record of the bond, and all payments of interest by the original coupon, date of each payment, and the name of the party to whom paid, and to which book or books the controller shall make reference before payment of any such coupon. On demand of the owner and holder of any coupon bonds heretofore or hereafter issued, there shall be issued in lieu thereof registered bonds of said city; the owner and holder asking for exchange of bonds may be required to pay a reasonable compensation to cover expenses of such exchange; the bonds so issued shall be of the same denomination or multiples thereof, bear the same rate of interest, and be payable at the same time, both as to interest and principal, as the coupon bonds for which they were exchanged; such coupon bonds when so exchanged shall be cancelled by the controller and treasurer, and their certificate of such cancellation be endorsed on the new bonds and the old bonds filed in the manner provided for bonds redeemed. A book shall be kept in each of the offices of the controller and treasurer in which shall be entered the date, number, series, denomination, and owner of all registered bonds, and the number and series of the coupon bonds for which exchange, if any; the interest and principal of registered bonds shall, when due, be paid only to the order of the person, corporation or firm who appears by such books to be the owner thereof; such registered bonds may be transferred on such books, for which purpose there shall be printed forms on the back of said bonds, together with directions to be followed in the execution of such transfers, by the owner in person, or by a person authorized to do so by power of attorney duly executed or by the presentation of duly authenticated letters of administration; in such case the power of attorney or letters of administration shall be filed and carefully preserved in the office of the controller. The exchange and registering of bonds required by this act shall be transacted by the mayor and controller, and the controller shall keep a registry for that purpose; but no bonds so issued in exchange for other bonds shall be of smaller denomination than one thousand dollars, unless and to the extent that the bonds offered for exchange are themselves of smaller denomination than one thousand dollars. No bonds in lieu of a bond returned for cancellation shall be issued until the same shall have been registered as herein provided.

Registered
bonds.

SEC. 2. That section one of chapter eight of an act entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," be and the same is hereby amended so as to read as follows:

Section
amended.

CHAPTER VIII.

Estimates, who to transmit to controller. SECTION 1. The commissioner of public works, the commissioner of police, the commissioner of parks and boulevards, board of fire commissioners of the city of Detroit, the board of health and the board of education of the city of Detroit, shall respectively transmit to the city controller on or before the first Tuesday of February in each year, their estimates of the amount of money required for their respective departments for the ensuing fiscal year, and the city controller, on or before the first Tuesday in March, shall transmit the same to the common council, together with his estimate of the amount of money required to be raised for the purposes of each of the funds constituted by this charter: **Provided,** That he may at any time before the expiration of the time within which the common council is required to act upon said estimates, transmit to the common council supplemental estimates, which, by mistake or otherwise, may have been omitted in the estimates aforesaid. The common council shall consider such estimates and may revise or alter said estimates, but not so as to exceed the aggregate amount authorized by law to be raised by taxation, and when such revision shall be completed and adopted, they shall transmit such revised estimates to the board of estimates on or before the first Wednesday in April: **Provided,** It shall not be required to submit to the board of estimates so much of the revised estimates as shall be required to raise money for the payment of debts or liabilities theretofore duly and lawfully contracted, or for moneys which may be required for the payment of salaries fixed by law, or otherwise required by law to be levied. Said estimates so transmitted by the common council shall be considered by the board of estimates, and they shall report the amounts of money which for the purposes of the several funds and for the several departments aforesaid, they shall have consented to be raised by taxation. And no money shall be raised by taxation for any of said departments or for any of said funds, unless by consent of said board, excepting for the payment of debts and liabilities theretofore lawfully contracted, or for the payment of salaries fixed by law, or otherwise required by law to be levied. It shall be the duty of the controller and the said commissioners and boards to furnish to the common council and to the board of estimates such information as may be necessary for the proper consideration of said estimates.

When to transmit to council.

Proviso.

Council to consider estimates.

Proviso.

Board to report to departments.

Money raised by consent of board.

This act is ordered to take immediate effect.
Approved June 6, 1901.

[No. 475.]

AN ACT to amend section one hundred thirty-nine of an act to provide a charter for the city of Detroit, such section being section fifty-one of chapter seven of said act, and to repeal all acts and parts of acts in conflict herewith.

The People of the State of Michigan enact:

SECTION 1. That section one hundred thirty-nine of an act to provide a charter for the city of Detroit, being section fifty-one of chapter seven of said act, be and the same is hereby amended so as to read as follows: Section amended.

(139) SEC. 51. The said council may also license and regulate auctioneers, hawkers, peddlers, newsboys, shoe-blacks, bootblacks, pawnbrokers, the keepers of junkshops, laundries or laundrymen, laundry companies, the keepers of laundry branches or laundry branch offices, second-hand stores and places for the buying and selling of second-hand goods; and to regulate auctions, hawking, peddling, pawnbrokerage, and the buying or selling of old junk or second-hand goods or materials; also the peddling or hawking of fruits, nuts, cakes or refreshments, jewelry, merchandise, goods and other property whatsoever by hand, handcart, showcase, show stand, or otherwise, in the public streets or places; also butchers and the keepers of shops, stalls, booths or stands at markets or at any other place in said city, for the sale of any kind of meat, fish, poultry, vegetables, food or provisions. It shall also have power to license and regulate dance halls and other halls or buildings used for the public assemblages; and to license and regulate or suppress hucksters, and prohibit and prevent or license and regulate the public exhibition of itinerant persons or companies, of natural or artificial curiosities, caravans, circuses, menageries, theatrical representations, concerts, musical entertainments, exhibitions of common showmen, and shows of any kind. Who to license auctioneers, etc.
To regulate dance halls, etc.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 476.]

AN ACT to amend sections four, eight, nine and twenty-three of an act entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water," approved February fourteenth, eighteen hundred fifty-three, as amended by the various acts amendatory thereof.

The People of the State of Michigan enact:

SECTION 1. That sections four, eight, nine and twenty-three of an act entitled "An act to amend the laws relative Sections amended.

to supplying the city of Detroit with pure and wholesome water," approved February fourteenth, eighteen hundred fifty-three, as amended by the various acts amendatory thereof, be and the same are hereby amended as follows:

Power of
commissioners
relative to
loans.

SEC. 4. For the purpose of construction of buildings, the purchase and installation of machinery, and the extension of water mains and other constructions, or for the purpose of the payment of maturing bonds, the said commissioners shall have power, with the approval of the common council and the board of estimates, to loan from time to time upon the best terms they can make, after giving public notice by advertising in at least two papers of the city of Detroit, for six days, and in one paper in Boston, and two in New York, to be designated by said board, for such time as they shall deem expedient, a sum of money which, added to the then existing bonded debt of said board, shall not exceed one million five hundred thousand dollars, upon the credit of the city of Detroit, and shall have authority to issue bonds, pledging the faith and credit of said city for the payment of the principal and interest of said bonds, which bonds shall issue under the seal of said board of commissioners, and shall be signed by them, or a majority of them, and bearing interest at not exceeding five per cent per annum. And it shall be

Duty as to
register of
bonds, etc.

the duty of said commissioners to cause to be kept an accurate register of all bonds issued by them, showing the number, date and amount of each bond, and to whom the same was issued; and it shall also be their duty to cause to be furnished to the controller of said city a copy of such register as soon as the same is made, which shall be preserved by said controller, and copied into the records of said city: **Provided,** That the moneys realized from the sale of any bonds issued under the provisions hereof shall be used only for the purpose for which said bonds were issued, and any premium above the par of said bonds which may be realized on the sale thereof, and any accrued interest at the time of making the sale of said bonds, shall be paid into the sinking fund of said board. If the said board shall at any time not have funds on

When new
bonds may
be issued.

hand sufficient to meet and pay any of the bonds issued by said board at the time when they shall become due, they shall have the right with the consent of the common council and the board of estimates to issue new bonds for such amounts, and on such time as they shall deem expedient, in the place of the bonds so becoming due, as aforesaid, or such part thereof as said board shall be unable then to pay; but in no instance shall such new bonds when issued bear interest at a higher rate than the old bonds for which the same shall be issued. The said old bonds shall be taken up and cancelled, and such cancellation recorded or otherwise indicated in the registry thereof and the new bonds shall be recorded in the registry in which said old bonds were recorded, as provided by the law under which said old bonds were issued. Notwithstanding the payment of any bonds

Old bonds to
be cancelled.

issued hereunder, the board shall have the right, with the consent of the common council and board of estimates, to issue said bonds for like purposes, the only limitation upon the power hereby conferred being the amount of the total bonded debt as above set forth.

SEC. 8. The commissioners shall provide and erect fire hydrants, at such localities in said city as may be deemed necessary and ordered by the fire commission or the common council of said city: Provided, That the expense thereof shall be paid from the funds of said fire commission when their erection is ordered by the fire commission, or from the appropriate fund of the city when ordered by the common council; and, for the purposes of this act, to conduct pipes, aqueducts or other works over or under any water course, or under any street, alley, turnpike, road, railroad highway or other way, within or without the city of Detroit, but in such a manner as not to unnecessarily obstruct or impede travel thereon; and with the consent and under the supervision and direction of the department of public works, may enter upon, dig up and backfill, with like restrictions as to travel, such street, alley, road or way, to lay such pipes, or construct such aqueducts and other works beneath the surface thereof, and to maintain and repair, or renew the same; the department of public works to restore the concreting and pavement of said street, alley or way to its former condition so far as maybe; expense of inspection and restoration of concreting and paving to be paid by said board of water commissioners to the department of public works. The commissioners may erect drinking hydrants for public use to each block in the city, and keep the same in repair; and, with the consent of the common council of the city, they may also erect fountains in such public grounds of the city as they deem expedient.

Commissioners to provide, etc., fire hydrants.

Proviso as to expense.

Drinking hydrants.

SEC. 9. Said commissioners shall from time to time cause to be assessed the water rate to be paid by the owner or occupant of each house or other building having or using water, and against any person or persons using water, upon such basis as they shall deem equitable; and such water rate shall become a continuing lien until paid upon such house or other building and upon the lot or lots upon which such house or other building is situated; and said board shall also have the power to bring suit to recover any water rate so assessed in any court of competent jurisdiction: Provided however, That in making the aforesaid assessments for water rates the said board of water commissioners shall provide a sum of not less than twenty-five thousand dollars in each year in excess of the expense and cost of maintenance and operation, which shall be placed in the sinking fund and for the purpose of the payment of the interest and the principal of all bonded indebtedness until such indebtedness is fully paid.

To assess water rates.

Proviso.

SEC. 23. The commissioners shall have power to extend their distributing pipes, aqueducts and mains, and erect hydrants, without the limits of said city, and to regulate, pro-

Powers relative to hydrants without the city limits.

Proviso. tect and control such portions of their works and the water supply therefrom in the same manner that they may regulate, protect and control their works and the water supply within the city: Provided, That before any water shall be supplied to any person or persons residing outside the limits of the city, the entire cost of laying such distributing pipes, including the cost of superintendence and engineering, shall be paid to the said board, and all such distributing pipes through which any water shall be supplied by said water board shall be the property of said board, and form a part of its system of distributing pipes: And provided further, That the rates at which water shall be sold to persons residing outside the city limits shall be discretionary with said board of water commissioners, but shall be not more than double the amount charged to citizens of Detroit. They shall also have such other and further powers and rights not herein granted as are given to water boards by the general laws of this State, and as are not inconsistent with the powers and rights herein granted.

Further proviso.

This act is ordered to take immediate effect.
Approved June 6, 1901.

[No. 477.]

AN ACT to prescribe the method for the levy of school taxes in the school district now composed of the city of Crystal Falls and the township of Crystal Falls.

The People of the State of Michigan enact:

Who to determine equalized valuation. SECTION 1. The equalized valuation of the city of Crystal Falls and the township of Crystal Falls, as determined by the board of supervisors of the county of Iron, shall be the equalized valuation of said territory for the purpose of the levy of school taxes therein for the school district comprising the whole of said territory.

Duty of board of education. SEC. 2. It shall be the duty of the board of education of the school district comprising the city of Crystal Falls and the township of Crystal Falls, to certify to the several supervisors therein, the same being one supervisor of each ward of the city of Crystal Falls and one supervisor of the township of Crystal Falls, the amount of money to be raised for school purposes in each of said wards and the township, the total amount which said board of education shall have by resolution duly adopted determined to be necessary for the carrying on of the schools of said district, and the division of such total amount having been made in proportion to the valuation of said wards and township by the board of supervisors.

SEC. 3. It shall be the duty of the several supervisors as mentioned in section two of this act, on receipt of the notice from the board of education of the amount which has been apportioned to his respective ward or township, to spread the said amount upon the tax roll, and said tax so spread shall be levied, collected and return thereof made, as in the case of other taxes. Duty of
board of
supervisors.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 478.]

AN ACT to detach certain territory from school district number two of the township of Marion in the county of Osceola, and to attach the same to school district number six in said township.

The People of the State of Michigan enact:

SECTION 1. The following described lands, to-wit: Lots two, three, four, five, six and seven, and the south one-half of the northwest quarter, and the southwest quarter, all of section two, and the west one-half of the west one-half of section eleven, all in town twenty north of range seven west, be and the same are hereby detached from school district number two of the township of Marion in Osceola county, and attached to school district number six in said township. Lots Territory
detached.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 479.]

AN ACT to authorize the township of Blissfield, in the county of Lenawee, to borrow money to pay for building stone abutments to the bridge over the river Raisin in said township.

The People of the State of Michigan enact:

SECTION 1. That the township board of Blissfield township, in the county of Lenawee, be and the same is hereby authorized and empowered to borrow on the faith and credit of said township a sum not exceeding three thousand dollars at a rate of interest not exceeding four per cent per annum, Amount
board
authorized
to borrow.

payable at such times not exceeding ten years after date, as said township board shall determine, said bonds to be sold at not less than par, and the proceeds thereof shall be paid into the treasury of said township.

How money
to be ex-
pended.

SEC. 2. The money that may be borrowed by authority of this act shall be expended in the payment of the indebtedness incurred by said township in the construction of stone abutments to the bridge across the river Raisin in said township.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 480.]

AN ACT to authorize the city of Detroit to construct and maintain an additional bridge or bridges over the American channel of the Detroit river.

The People of the State of Michigan enact:

Power of
council
relative
to bridges.

SECTION 1. The common council of said city shall have power to erect and maintain a bridge or bridges over the American channel between Belle Isle and the main land, and to purchase or acquire by condemnation sufficient real estate on said main land, whether within or without the limits of the city, for suitable approaches to said bridge or bridges from the main land, and the police powers and jurisdiction conferred by the charter of said city shall extend to land thus acquired. The common council shall have power from time to time to fix the rate and provide for the collection of tolls for the use of said bridge upon such terms and conditions as the common council shall prescribe.

To fix tolls,
etc.

To issue
bonds.

SEC. 2. For the purpose of carrying into effect the provisions of this act, the common council shall have power to borrow, by issuing bonds upon the faith and credit of the city, such sums of money as may be necessary, not exceeding, in the aggregate, the sum of six hundred thousand dollars. Said bonds to be issued and negotiated in the manner provided by the provisions of the city charter relative to the sale, issue, record and redemption of bonds by said city, and the bonds so issued shall be denominated "public improvement bonds of the city of Detroit." Such money shall not be borrowed, nor such bonds issued, unless a majority of the qualified electors of the city of Detroit, voting at an election to be held in said city, on the first Tuesday after the first Monday of November, nineteen hundred two, voting on the question of said loan shall so determine, and the common council of said city is hereby authorized and required to give notice of submitting the question of said loan to the qualified

Majority of
electors to
determine.

Council to
give notice.

electors of said city, by giving due notice thereof, causing the date, place of voting and object of said election to be stated in a printed or written notice, and posted in six public places in each voting precinct in said city, not less than six days before said election, and publishing the same in one or more of the daily papers published in said city for three days prior to said election, which notice shall state the amount of money proposed to be borrowed; the amount of bonds to be issued, and the purpose thereof; and it is hereby made the duty of said common council to cause said question to be duly submitted and to do any and all other legal acts which may be necessary for the proper and legal submission thereof.

SEC. 3. Such proposition shall be submitted in the following manner, the same being printed upon the official ballots for said election, or upon special ballots, if so ordered by the common council. The wording wherein such proposition shall be submitted shall be as follows: For issuing bridge bonds—Yes. For issuing bridge bonds—No. The election shall be conducted and the votes canvassed and returns made, in all respects, as the aforesaid election held in said city is by law required to be conducted, and immediately upon the conclusion of such canvass the board of canvassers shall make and sign a certificate showing the whole number of votes cast upon such proposition, and the number for and against the same respectively; such city canvassers shall endorse upon the certificate, and declare in writing the result of such election; such certificate and declaration shall then be filed with the city clerk, and entered and attached upon the records of said city, and a copy of said certificate and declaration, certified to by the city clerk, shall be filed by him with the county clerk of Wayne county.

How proposition submitted.

How election conducted.

Approved June 6, 1901.

[No. 481.]

AN ACT to organize the township of Millen, in the county of Alcona, State of Michigan, into a union school district.

The People of the State of Michigan enact:

SECTION 1. That the territory embraced within the township of Millen, in the county of Alcona, or which may hereafter be embraced in the township of Millen, in the county of Alcona, be and is hereby declared to be a single school district which shall be a body corporate by the name and style of the union school district of the township of Millen, and by that name may sue and be sued, and shall be subject to the

Territory embraced.

payable at such times not exceeding ten years after date, as said township board shall determine, said bonds to be sold at not less than par, and the proceeds thereof shall be paid into the treasury of said township.

How money
to be ex-
pended.

SEC. 2. The money that may be borrowed by authority of this act shall be expended in the payment of the indebtedness incurred by said township in the construction of stone abutments to the bridge across the river Raisin in said township.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 480.]

AN ACT to authorize the city of Detroit to construct and maintain an additional bridge or bridges over the American channel of the Detroit river.

The People of the State of Michigan enact:

Power of
council
relative
to bridges.

SECTION 1. The common council of said city shall have power to erect and maintain a bridge or bridges over the American channel between Belle Isle and the main land, and to purchase or acquire by condemnation sufficient real estate on said main land, whether within or without the limits of the city, for suitable approaches to said bridge or bridges from the main land, and the police powers and jurisdiction conferred by the charter of said city shall extend to land thus acquired. The common council shall have power from time to time to fix the rate and provide for the collection of tolls for the use of said bridge upon such terms and conditions as the common council shall prescribe.

To fix tolls,
etc.

To issue
bonds.

SEC. 2. For the purpose of carrying into effect the provisions of this act, the common council shall have power to borrow, by issuing bonds upon the faith and credit of the city, such sums of money as may be necessary, not exceeding, in the aggregate, the sum of six hundred thousand dollars. Said bonds to be issued and negotiated in the manner provided by the provisions of the city charter relative to the sale, issue, record and redemption of bonds by said city, and the bonds so issued shall be denominated "public improvement bonds of the city of Detroit." Such money shall not be borrowed, nor such bonds issued, unless a majority of the qualified electors of the city of Detroit, voting at an election to be held in said city, on the first Tuesday after the first Monday of November, nineteen hundred two, voting on the question of said loan shall so determine, and the common council of said city is hereby authorized and required to give notice of submitting the question of said loan to the qualified

Majority of
electors to
determine.

Council to
give notice.

electors of said city, by giving due notice thereof, causing the date, place of voting and object of said election to be stated in a printed or written notice, and posted in six public places in each voting precinct in said city, not less than six days before said election, and publishing the same in one or more of the daily papers published in said city for three days prior to said election, which notice shall state the amount of money proposed to be borrowed; the amount of bonds to be issued, and the purpose thereof; and it is hereby made the duty of said common council to cause said question to be duly submitted and to do any and all other legal acts which may be necessary for the proper and legal submission thereof.

SEC. 3. Such proposition shall be submitted in the following manner, the same being printed upon the official ballots for said election, or upon special ballots, if so ordered by the common council. The wording wherein such proposition shall be submitted shall be as follows: For issuing bridge bonds—Yes. For issuing bridge bonds—No. The election shall be conducted and the votes canvassed and returns made, in all respects, as the aforesaid election held in said city is by law required to be conducted, and immediately upon the conclusion of such canvass the board of canvassers shall make and sign a certificate showing the whole number of votes cast upon such proposition, and the number for and against the same respectively; such city canvassers shall endorse upon the certificate, and declare in writing the result of such election; such certificate and declaration shall then be filed with the city clerk, and entered and attached upon the records of said city, and a copy of said certificate and declaration, certified to by the city clerk, shall be filed by him with the county clerk of Wayne county.

How proposition submitted.

How election conducted.

Approved June 6, 1901.

[No. 481.]

AN ACT to organize the township of Millen, in the county of Alcona, State of Michigan, into a union school district.

The People of the State of Michigan enact:

SECTION 1. That the territory embraced within the township of Millen, in the county of Alcona, or which may hereafter be embraced in the township of Millen, in the county of Alcona, be and is hereby declared to be a single school district which shall be a body corporate by the name and style of the union school district of the township of Millen, and by that name may sue and be sued, and shall be subject to the

Territory embraced.

Powers of district.	general laws of this State relative to corporations so far as the same may be applicable. Such district shall have all the powers and privileges conferred upon school districts by the general laws of this State and all general provisions of law relating to the common or primary schools shall apply and be in force in said district, except such as shall be inconsistent with this act. The township board of said township shall constitute the board of education of said union school district; the supervisor shall be chairman of said board of education, the township clerk shall be the clerk of said board of education and the township treasurer shall be the treasurer of said board of education and shall be the custodian of the funds, but shall not be entitled to any vote upon said board.
Board of education.	
On whom process served.	SEC. 2. All process shall be served on the chairman of said board in all suits against said district, and said chairman shall have the care and management over the affairs and property of said school district, who shall receive for his services such sum as the board of education may determine, but not to exceed twenty-five dollars annually. The clerk may receive not to exceed fifteen dollars annually. No other officer or member of said board of education shall receive pay or compensation. In the absence of the chairman at any meeting, a majority of the members may choose one of their number chairman pro tem, and in the absence of the clerk the board may choose some suitable person to perform his duties. Said board shall be governed by the same rules and regulations as govern all meetings of the township board in so far as the same are not inconsistent with the general law governing primary and union school districts, and shall have the power to prescribe rules for its own government and the government of the schools, teachers, students and employes of said district; and shall be vested with all the powers and duties not inconsistent with this act that are, by law, usually conferred upon boards of education or trustees of union or primary school districts.
Compensation.	
How board governed.	
Meetings of board.	SEC. 3. A majority of the members of said board shall constitute a quorum, and regular meetings of said board shall be on the third Monday of April, August, December and March in each year, and no notice of said meeting shall be required. Any two members of said board shall be sufficient to adjourn any meeting from time to time until a quorum is present. Special meetings of said board may be called at any time upon the request of the chairman or two members of said board in writing delivered to the clerk.
Powers and duties.	SEC. 4. Said board at its regular meeting on the third Monday of August in each year, shall make an estimate of and determine the amount of money deemed necessary to be raised by taxes for the ensuing year for all purposes of expenditure within the powers of said board; which estimate shall specify the amount required for the different objects of expenditure, and shall be entered at length on the records

of the proceedings of said board, and the clerk of said board shall, within twenty days thereafter, make a written report of the amount of taxes estimated and determined to be necessary and certify the same to the supervisor of the township of Millen, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as other township taxes: Provided. That no greater sum than one cent on the dollar of all the taxable valuation of the real and personal property of said district shall be levied in any one year.

SEC. 5. The township treasurer shall have the keeping Duties of treasurer. of all school and library money and shall not pay out the same without the authority of the said board upon warrants or orders drawn upon him, signed by the clerk and countersigned by the chairman and designating the fund out of which the same shall be drawn.

SEC. 6. Said union school district shall succeed to all District to succeed to certain rights. the rights, property and effects of the school districts within said township and to any delinquent school taxes which may have heretofore been assessed and now remaining uncollected upon any real or personal property situated within the territory of the township of Millen, or within any territory which may hereafter be attached to the township of Millen.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 482.]

AN ACT to revise and amend the charter of the city of Saginaw, as revised and amended by act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, approved June second, eighteen hundred ninety-seven, as further revised and amended by act number four hundred thirty-one of the local acts of eighteen hundred ninety-nine, approved June first, eighteen hundred ninety-nine, and acts amendatory thereof, and to repeal all acts and parts of acts in conflict with this act.

The People of the State of Michigan enact:

SECTION 1. That sections one, four and twenty of title two; Sections amended. section one of title four; section twenty-four of title five; section five of title six; section one of title eleven; sections one, fourteen and sixteen of title twelve; section thirty of title seventeen, of the charter of the city of Saginaw, being act number four hundred sixty-five of the local acts of eighteen hundred ninety-seven, approved June second, eighteen hundred ninety-seven, as amended by act number four hundred

thirty-one of the local acts of eighteen hundred ninety-nine, approved June first, eighteen hundred ninety-nine, and acts amendatory thereof, be and the same are hereby amended, said amended sections to read as follows:

TITLE II.

Elections abolished.	<p>SECTION 1. No city election shall be held in April, A. D. nineteen hundred two, and annual city elections are hereby abolished. A biennial city election shall be held on the first Tuesday after the first Monday in November in the year nineteen hundred two, and every second year thereafter in connection with the general State election held on the same day and to be conducted by the same officers. A biennial spring election shall be held on the first Monday in April in the year nineteen hundred three, and every second year thereafter in connection with the State judicial election held on the same day, and to be conducted by the same officers. The terms of all the officers elective and appointive, including members of boards (except members of the board of education), unless otherwise herein provided, whose official terms would otherwise extend after January first, A. D. nineteen hundred three, are hereby limited, and all shall expire and terminate at midnight December thirty-first nineteen hundred two, or when their successors have been elected as herein provided and they have qualified: Provided however, That on the first Monday in April, A. D. nineteen hundred two, the term of the present police judge shall expire and terminate, and the recorder shall be and is hereby thereafter invested with the authority and shall perform the duties and receive the compensation now pertaining to the office of said police judge, and any vacancy thereafter occurring in the office of recorder shall be filled in the same manner as herein provided for filling the vacancies in the office of police judge or justice of the peace. The term of office of the aldermen elected in April, A. D. nineteen hundred one shall terminate at midnight December thirty-first, A. D. nineteen hundred two, or when the aldermen elected in November in the year nineteen hundred two, as herein provided, shall have been elected and they have qualified: Provided, That during the year A. D. nineteen hundred two, the aldermen whose terms have not expired shall temporarily serve as aldermen at large, and the fact that any alderman changes his residence within the city or resides in a different ward from that for which he was elected, shall not thereby vacate his said office during said year. The following officers of the city of Saginaw shall be elected at the biennial city election held on the first Tuesday after the first Monday in November in the year nineteen hundred two, and every second year thereafter, by the qualified electors of the whole city voting in their respective wards and election districts on a general ticket, viz., one mayor and</p>
Biennial elections, when held.	
Biennial spring elections.	
Terms of officers, when to expire.	
Proviso as to certain officers.	
Proviso.	
Certain officers, when and how elected.	

one treasurer. The mayor's term of office shall commence on the first day of January, one thousand nine hundred three, and of every second year thereafter, and the treasurer's term of office shall commence on the first day of April, one thousand nine hundred three, and of every second year thereafter: **Term of office.** Provided, That at the same time a recorder and a justice of the peace shall be elected, who shall each enter upon the duties of his office as soon thereafter as he shall file the requisite bonds and oath, and he shall hold his office until July fourth, nineteen hundred three, or until his successor shall be elected and shall qualify as hereinafter provided. The following officers of the corporation shall be elected at said election on a ward ticket in each ward and election district by the qualified voters thereof, viz., one alderman and one constable. **Officers to be elected on ward ticket.** Their term of office shall commence on the first day of January, one thousand nine hundred three, and of every second year thereafter. **Term of office.** At the biennial spring election in the year nineteen hundred three, and quadrennially thereafter, a justice of the peace shall be elected to hold office for the term of four years from and after the fourth day of July succeeding his election. **Justice, when elected and term.** At the biennial spring election in the year one thousand nine hundred three, a recorder shall be elected to hold office for the term of two years from and after July fourth, nineteen hundred three. **Recorder for two years.** At the biennial spring election in the year one thousand nine hundred five, and quadrennially thereafter, a recorder shall be elected to hold office for the term of four years from and after the fourth of July succeeding his election. **For four year term.** At the biennial spring election in the year one thousand nine hundred three, and every second year thereafter, the following officers of the corporation shall be elected at said election on a ward ticket in each ward by the qualified voters thereof, viz., one supervisor and one school inspector. **Supervisor and school inspector.** Their term of office shall commence on the fourth day of July, one thousand nine hundred three, and every second year thereafter: **Term of office.** Provided, That no school inspector shall be elected within the western taxing district on such ward ticket.

SEC. 4. The following shall be the term of office of the several officers elected at the biennial elections provided for in section one, title two, who shall in all cases hold office until their successors are elected and qualified, viz., mayor, two years; treasurer, two years; recorder, two years prior to July fourth one thousand nine hundred five, and thereafter four years; justice of the peace, four years; aldermen, school inspectors, supervisors and constables, two years. **Terms of office of certain officers.**

SEC. 20. If a vacancy occurs in any elective office other than that of mayor, alderman, justice of the peace and recorder, the common council shall appoint some person eligible under this act, unless otherwise provided, to serve in such office until the next biennial election, when the vacancy shall be filled for the remainder of the official term unless otherwise provided in this act. **Vacancies, how filled.** No office shall be deemed vacant

under this or the preceding sections of this title, excepting in case of death, resignation, expulsion, permanent disability or removal from the city of the person appointed or elected to such office, and any officer appointed to fill a vacancy, if the office is elective, shall hold by virtue of such appointment, only until the tenth day after the election next succeeding. If an elective office which shall have become vacant, is of that class the term of which continues after the next biennial election, a successor for the unexpired term shall be elected at the next biennial election.

TITLE IV.

Powers and
duties of
mayor.

SECTION 1. It shall be the duty of the mayor to take care that the laws of the State, and the ordinances of the common council be faithfully executed; to exercise a constant supervision and control over the conduct of all subordinate officers, and to receive and examine into all complaints against them for neglect of duty, to recommend to the common council such measures as he shall deem expedient, to expedite such as shall be resolved by them; and in general to maintain the peace and good order, and advance the prosperity of the city. The mayor shall be an ex officio member of all the boards of the city of Saginaw (except the school boards), and it shall be his duty to attend all the meetings of said boards, and he shall have a right to speak on any and all matters that come before said boards, but he shall have no vote thereon. The mayor may also issue process and hear in a summary way, any complaint against any person to whom a license of any description has been granted, in pursuance of this act, for any violation of the laws of the State or the ordinances of the common council, and may issue subpoenas and compel the attendance of witnesses on the hearing of such complaint, in the same manner as a justice of the peace in the trial of civil causes, and on such hearing may annul such license or suspend it for a certain time. Every determination on such complaint shall be forthwith filed with the clerk of the city, who shall serve a certified copy thereof on the person holding a license affected by such determination, either personally or by leaving the same at his or her usual place of abode, and from the time of such service such license shall be annulled or suspended, according to the tenor of such determination.

TITLE V.

Council may
issue bonds,
amount,
how used.

SEC. 24. The common council is hereby authorized to issue the bonds of said city to the amount of one hundred twenty-five thousand dollars, for the purpose of raising money; first, to construct a bridge across the Saginaw river and the Emerson bayou, east from Court street and to procure the

right of way therefor; and also for the construction of a bridge across said river at such point south of the south line of section twenty-six in said city as the common council may deem proper, and to procure the right of way therefor; and also for the construction of a bridge across said river at such point in the first ward of the city as the common council may deem proper, and to procure the right of way therefor: **Provided**, also, That following the construction of the Court street bridge, the common council may determine the time and the order in which either of the two remaining bridges provided for in this section shall be built.

·TITLE VI.

SEC. 5. The common council may determine that the whole or any part of the expense, including costs of estimates, plans, surveys, assessments and other expenses incidental thereto of any public improvement, shall be defrayed by an assessment on the lands to be benefited thereby, except where the improvement is made by paving or repaving between the street car tracks or railroad tracks and between the double tracks, curves and switches, and the paving required to be done by the street car companies or railroad companies on the outside of their tracks, the width provided for in their ordinances, the cost of which shall be assessed against said street car companies or railroad companies as a personal tax, and be placed in the special tax roll, the same as when any other special improvement is made. And the common council shall, either before or after the completion of such improvement, declare by resolution whether the whole or what portion of the cost of such improvement shall be assessed to said lands, except that portion to be paid for by said street car companies or railroad companies as above provided: **Provided**, however, That the assessments which may be levied upon any block or parcel of real estate shall not exceed the benefit which it is especially deemed to have received by such improvement. Whenever any improvement is ordered in any street, except paving, repaving, planking or macadamizing, the board of public works shall have authority to determine whether such improvement shall be done by the city, under the direction and supervision of the board of public works, or whether bids shall be solicited and the improvement be let by contract. When such improvement is completed, or as soon thereafter as may be convenient, the board of public works shall prepare a detailed statement of the cost of such improvement, showing the amount to be assessed on the property benefited, as provided by the resolution ordering the said improvement, and the amount of cost for paving between the street car tracks or railroad tracks, double tracks, switches, curves and the distance, if any, outside of its said tracks, as provided for by the ordinances of said city.

Council to
determine
amount
assessed.

Provided.

TITLE XI.

Who to constitute present board of police commissioners.	<p>SECTION 1. The vacancy caused by the retirement of the mayor from the board of police commissioners shall not be filled prior to the month of January, A. D. nineteen hundred three, and the remaining four members of said board shall continue to constitute the board of police commissioners until their successors are elected and qualified, as hereinafter provided, viz., the common council during January, A. D. nineteen hundred three, upon the nomination by the mayor, shall appoint five suitable persons, citizens of said city (no more than three of whom shall reside in the same taxing district or belong to the same political party), who shall constitute the board of police commissioners for the city of Saginaw. They shall be appointed one for the term of one year, one two years, one three years, one four years, and one five years; the common council upon the nomination by the mayor thereafter, shall annually appoint one commissioner to hold for the term of five years. Said board or a majority of them, shall have full power to try and determine all complaints against the marshal or any policeman or watchman of the city, and to remove them or any of them summarily, or on conviction for insubordination, neglect of duty or violation of any of the ordinances or rules and regulations, or violations of any law of the city or State, made or hereafter to be made, for the government of the police department of the city of Saginaw. The city clerk shall be clerk of said board, and shall keep its record, and shall cause the proceedings of said board to be published in the official paper of said city within five days after each session: Provided, however, That no part of said proceedings relating to the detective work of said department need be published. Said commissioners shall receive no compensation, and they may be removed for the same causes, and upon the same proceedings as a member of the common council. In case any vacancy occurs, the common council shall appoint upon the nomination of the mayor, some person to fill the unexpired portion of the term.</p>
When and how new board to be appointed.	
Terms appointed for.	
Powers of board.	
Who to be clerk.	
Proviso.	
Vacancy.	

TITLE XII.

Board of public works, how elected, term.	<p>SECTION 1. At the first regular meeting of the common council in January, A. D. nineteen hundred three, there shall be created and constituted a new board of public works in and for the city of Saginaw, composed of three members, who shall be elected by the common council, and who shall be citizens and residents of the city of Saginaw, no more than two of whom shall reside in any one taxing district or belong to the same political party, and who shall hold their office until their successors have been elected by the common council in January, A. D. nineteen hundred three; said</p>
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successors to be elected one for the term of one year; one for the term of two years; and one for the term of three years from the date of their appointment, and the council shall elect annually thereafter a member of said board for a period of three years. The members elected under this act shall, within ten days after their election, or such further time as the common council may fix, meet and organize such board of public works by the election of one of its members president, and the common council shall at all times provide said board with suitable office room for its meetings and business, and supply record books, stationery and other things necessary for the transaction of public business under the charge of said board; and provide for the payment, in like manner as other accounts against the city, of all necessary and lawful accounts incurred by said board. Said board shall have one regular meeting each week, and such special meetings as may be necessary, and each member shall have one vote; a majority of said board shall be a quorum for the transaction of business. Each member of said board shall be allowed as compensation for his services three dollars for actual attendance at each regular meeting of said board, to be certified by the clerk to the controller quarter-yearly, and paid out of the general fund.

Terms of
successors.

When to meet.

Compensa-
tion.

SEC. 14. No member of said board shall hold an elective or appointive office under the charter of said city during his continuance as a member of said board, and his election to and acceptance of any office in said city shall be deemed a resignation of membership, and shall vacate his office in said board. No member of said board shall be personally interested, either directly or indirectly, in any contract for any public work in said city, nor in the sale or disposition of any material to be used or applied in or about any public work or improvement. Any member of said board may be at any time removed by the common council of said city for official misconduct, or for the unfaithful or inefficient performance of the duties of his office: Provided, That the charges against the said member sought to be removed, and the notice of the time and place of hearing the same shall be served on him at least ten days previous to the time so assigned, and an opportunity given him to make his defense. Whenever a member shall be removed, or a vacancy in said board shall occur by reason of the removal of any member thereof from said city, resignation, death or otherwise, the same shall be filled for the unexpired term by the appointment of the common council.

When office
on board
deemed
vacated.

Council may
remove.

Proviso.

Vacancy.

SEC. 16. The board of public works existing May first, A. D. nineteen hundred one, shall be continued and remain and perform the same duties performed by them under the charter of the city of Saginaw, in force before this act takes effect: Provided, That said board shall consist of the five members whose terms would last expire. They shall perform the same duties until the new board of public works as pro-

Present board
to continue
in office.

Proviso.

vided in section one one of this title is appointed and qualified, and on said new board's qualifying then said board of public works as heretofore constituted under the charter of the city of Saginaw shall be terminated and abolished.

TITLE XVII.

Officers to
be chosen at
biennial fall
election.
Biennial
spring
election.

Object of act.

Provisions
repealed.

SEC. 30. At the biennial fall election there shall be chosen in each ward an alderman for the term of two years, one constable for the term of two years; and at the biennial spring election in each ward there shall be chosen a supervisor for the term of two years and in each of the twelve wards upon the east side of the river at said biennial spring election, there shall be chosen one school inspector for the term of two years. The principal object and purpose of this act, among others, is to amend the charter of the city of Saginaw so as to arrange for biennial city elections, instead of annual city elections, and to provide for a reduction in the number of city officers; and the common council of the city of Saginaw is hereby authorized to provide for carrying into complete operation and effect the foregoing amendments of said charter. All provisions of the charter of the city of Saginaw in anywise contravening the provisions of this act, and all acts or parts of acts inconsistent with this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 483.]

AN ACT to amend section thirty-five of chapter seventeen, section one of chapter twenty-one of act number three hundred ninety of the local acts of eighteen hundred eighty-five, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hundred eighty-five, and the amendments thereto, and to add one new section thereto to stand as section thirty-two of chapter fifteen.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That section thirty-five of chapter seventeen, section one of chapter twenty-one of act number three hundred ninety of the local acts of eighteen hundred eighty-five, entitled "An act to amend and revise the charter of the city of Port Huron," approved June seventeenth, eighteen hun-

dred eighty-five, and the amendments thereto, be and the same are hereby amended, and that one new section be added to chapter fifteen to stand as section thirty-two, said amended and added sections to read as follows:

CHAPTER XVII.

SEC. 35. The common council shall, with the approval of the board of estimates, have power to provide for the repaving fund by borrowing upon the faith and credit of the city, and upon the best terms that can be made, such sums of money as shall be deemed necessary and expedient and to issue the bonds of said city therefor. The cost of repaving done in any one year shall not exceed the sum of seventy-five thousand dollars and there shall not be outstanding at any one time repaving bonds to exceed the sum of one hundred fifty thousand dollars.

How repaving fund provided for.

Cost of repaving limited.

CHAPTER XXI.

SECTION 1. At a regular meeting of the common council held on the first Monday in May eighteen hundred ninety-seven, or in case of failure to make appointment at that time, then at any subsequent meeting of the common council, the mayor shall appoint five citizens of the city of Port Huron, who shall constitute the Port Huron library commission. They shall hold office for one, two, three, four and five years respectively and until their successors are appointed and qualified. Annually thereafter one commissioner shall be appointed, who shall hold office for five years and until his successor is appointed and qualified.

Library commission, how appointed.

CHAPTER XV.

SEC. 32. The said canal commissioners together with the superintendent of public works shall inspect the work of the construction of the said canal and determine whether the work is being done as required.

Who to inspect canal construction.

SEC. 2. All acts or parts of acts in anywise contravening any of the provisions of this act are hereby repealed.

Repealing clause.

This act is ordered to take immediate effect.

Approved June 6, 1901.

[No. 484.]

AN ACT to amend section one of an act entitled "An act to provide for the compensation and prescribe the duties of certain officers of the county of Saginaw," of the local acts of nineteen hundred and one, approved May ninth, nineteen hundred and one.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section one of an act entitled "An act to provide for the compensation and prescribe the duties of certain officers of the county of Saginaw," of the local acts of nineteen hundred and one, approved May ninth, nineteen hundred and one, be and the same is hereby amended so as to read as follows:

Salaries of
certain county
officers.

SECTION 1. That the treasurer of the county of Saginaw shall receive a salary of two thousand dollars per annum; that the clerk of the county of Saginaw shall receive a salary of two thousand dollars per annum; that the register of deeds for the county of Saginaw shall receive a salary of two thousand dollars per annum; and deputy game warden shall receive a salary of five hundred dollars per annum: **Provided** however, That the treasurer, clerk and register of deeds shall receive a salary of twenty-five hundred dollars per annum until January first, nineteen hundred and three. The officers named shall not be entitled to any compensation other than said salary for performance and discharge of any duties growing out of their office, or any office the duties of which they exercise by virtue thereof, including fees for all affidavits executed by said officers or their deputies.

Proviso.

Approved June 6, 1901.

[No. 485.]

AN ACT to amend section twelve of title four of the charter of the city of Saginaw, being act number four hundred sixty-five of local acts of eighteen hundred ninety-seven, approved June second, eighteen hundred ninety-seven, as amended by act number four hundred thirty-one of local acts of eighteen hundred ninety-nine, approved June first, eighteen hundred ninety-nine, and acts amendatory thereof, and to repeal all acts and parts of acts in conflict with this act.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. That section twelve of title four of the charter or [of] the city of Saginaw, being act number four hundred sixty-five of local acts of eighteen hundred ninety-seven, ap-

proved June second, eighteen hundred ninety-seven, as amended by act number four hundred thirty-one of local acts of eighteen hundred ninety-nine, approved June first, eighteen hundred ninety-nine, and acts amendatory thereof, be and the same is hereby amended to read as follows:

TITLE IV.

SEC. 12. The supervisors of the several wards of said city shall be members of the board of supervisors of Saginaw county, and shall perform all the duties of supervisors of townships, except as herein otherwise provided, and except as to such duties as are herein especially devolved upon other officers of said city, and shall be entitled to the same compensation as township supervisors, and to such additional compensation as hereinbefore provided. The assessor, controller, treasurer, and aldermen of the fifth, sixth and seventh wards shall be members of the board of supervisors of Saginaw county and represent the interests of this corporation in said board, and as such supervisors shall be entitled to receive the same compensation as other supervisors, for attendance upon said board: Provided, That the terms of the supervisors of the fifth, sixth and seventh wards herein created shall expire January first, nineteen hundred three.

Board of
supervisors
of Saginaw
county.

Provido.

SEC. 2. All provisions of the charter of the city of Saginaw in anywise contravening the provisions of this act, and all acts or parts of acts inconsistent with this act are hereby repealed.

Repealing
clause.

This act is ordered to take immediate effect.

Approved June 8, 1901.

[No. 486.]

AN ACT to authorize the sale of lands located within the limits of the city of Bay City and returned as delinquent for the taxes of the year eighteen hundred ninety-seven and any prior years, at less than the total of taxes, interest and other charges against such lands, and to authorize the city to bid in any such lands at the annual tax sale of nineteen hundred two and to compromise with parties in interest as to re-assessed taxes for such years.

The People of the State of Michigan enact:

SECTION 1. Any person owning any lands in the city of Bay City in the county of Bay upon which the taxes for the year eighteen hundred ninety-seven and any prior years have been returned delinquent and have not been paid, may at any

How property
owner may
pay delin-
quent taxes.

time within six months after this act shall take effect, pay said taxes by applying to the Auditor General therefor and paying the total amount of State and county taxes, together with the interest and charges thereon and fifty per centum of the total city and other taxes, charged against said lands and unpaid at the time said application shall be made, for the said year eighteen hundred ninety-seven and all prior years, and thereupon the Auditor General shall execute proper conveyances or receipt therefor, whereby said lands shall be wholly relieved from all liens for such taxes for such years, but such conveyance or receipt shall be subject to the taxes for all subsequent years which remain unpaid.

When prop-
erty subject
to sale for
taxes.

SEC. 2. After the expiration of six months from the time this act shall take effect, and until the annual tax sale in the year nineteen hundred two, all lands in said city of Bay City held by the State as State tax lands or under State bids for taxes assessed and returned as delinquent for the year eighteen hundred ninety-seven and any prior years, shall be subject to sale at the office of the Auditor General to any person applying therefor, for the total amount of State and county taxes, together with the interest and charges thereon, and fifty per centum of the total city and other taxes, for said year eighteen hundred ninety-seven and all prior years, remaining unpaid and charged against said lands at the time such application shall be made, and upon such sale the Auditor General shall execute proper conveyance or assignment, whereby all interest in said lands held by the State at the time of said application, for taxes assessed and returned delinquent for said year eighteen hundred ninety-seven and prior years, shall be transferred to the purchaser, subject to the provisions of act number two hundred twenty-nine of the public acts of eighteen hundred ninety-seven and acts amendatory thereof.

When tax
lands for sale.

SEC. 3. At the annual tax sale of nineteen hundred two all such State tax lands in said city of Bay City shall be offered for sale pursuant to law to the highest bidder for the total city and other taxes returned delinquent and unpaid for the year eighteen hundred ninety-seven and all prior years, with the interest and charges thereon, exclusive of State and county tax, and the purchaser thereof shall be required to pay in full all such State and county taxes charged against said lands and unpaid, and the interest and other charges thereon, in addition to the amount of his bid, and the amount of the purchaser's bid shall belong to the city of Bay City and all said taxes for said year eighteen hundred ninety-seven and prior years, except said State and county taxes, charged against said lands and unpaid, in excess of said bid, shall be canceled by said sale. The city of Bay City is empowered to bid at said sale.

SEC. 4. All loss which shall be sustained under this act shall be borne by the city of Bay City, and such loss and also all moneys realized by the city under this act shall be apportioned between the several funds to which they belong: Provided, That all moneys realized under this act from any property against which there is a tax for local improvements, said local improvement tax shall first be satisfied and the balance apportioned amongst the several funds as above. How amounts apportioned.

SEC. 5. None of the taxes assessed for any year subsequent to the year eighteen hundred ninety-seven shall be affected by the provisions of this act, except as provided in the following section. How certain taxes affected.

SEC. 6. The common council is empowered at any time before said annual tax sale of nineteen hundred two, to accept from the owner of any lands in said city, upon which the taxes for said year eighteen hundred ninety-seven and any prior years have been set aside and reassessed in any subsequent year, payment of fifty per centum of the total city and other taxes and interest and charges thereon, except State and county taxes, so assessed, upon the payment in addition to the total State and county taxes, together with interest and charges thereon, charged against said lands and remaining unpaid for said year eighteen hundred ninety-seven and prior years, and such lands shall, upon such payment being made, be released from all such taxes, interest and charges. Power of council relative to taxes.

Approved June 11, 1901.

CERTIFICATE.

MICHIGAN
DEPARTMENT OF STATE
LANSING.

I, Fred M. Warner, Secretary of State of the State of Michigan, do hereby certify that the date of the final adjournment of the Legislature of nineteen hundred and one was on the sixth day of June in the year of our Lord one thousand nine hundred and one.

[L. S.] IN WITNESS WHEREOF I have hereunto set my hand and caused the great seal of the State of Michigan to be affixed this twenty-third day of August, A. D. one thousand nine hundred and one.

FRED M. WARNER,
Secretary of State.

APPENDIX.

CONTAINING

Certified Statements of Boards of Supervisors

RELATIVE TO THE

ERECTION AND CHANGE OF BOUNDARIES OF TOWNSHIPS.

1

2

3

APPENDIX.

CHARLEVOIX COUNTY.

In the matter of the formation of the township of St. James.

STATE OF MICHIGAN, }
County of Charlevoix, } ss.

At a special session of the board of supervisors for the county of Charlevoix, commenced and held at the court house in the village of Charlevoix, on December the 13th, A. D. 1899. Roll called, quorum present.

In the matter of detaching territory from the township of Peaine, and erecting therewith a new township to be called the township of St. James.

The petition of James Dunlevey, and James McCann, with forty-one others, for the detaching of territory from the township of Peaine, county of Charlevoix, and the organization of a new township therewith, to be called the township of St. James, being duly filed with the county clerk. And proof of the publication of notice of hearing of said petition being duly made and filed, and the matter contained in said petition having been presented to the board of supervisors, at the time and place specified in said petition. Therefore be it

Resolved, That, the territory which is situated north of the north section line of the following sections 32, 33, 34, 35 of township 39 north of range 10 west. Said section line being the south section line of sections 26, 27, 28, 29, respectively of township 39 north of range 10 west, together with the following islands: Hog, Garden, Whiskey, Little Beaver (known as high island), Gull, Hat and Trout islands, as well as all the other islands belonging to the Big Beaver group so called.

Said territory being in range 39 north, 10 west; 40 north, 10 west; 38 north, 11 west; 38 north, 12 west; 39 north, 9 west; 40 north, 9 west, and 40 north, 8 west, being at present a part of the township of Peaine, county of Charlevoix, and that the said territory above mentioned be and the same is set off and is hereafter to be known as the township of St. James.

And be it further resolved, That said new township shall hold its first township meeting in the old court house in the village of St. James,

for the purpose of electing the following officers, to wit: One supervisor, township clerk, highway commissioner, township treasurer, four justices of the peace, two new members of the board of review, one for the term of one year and one for the term of two years, four constables and all other officers required by law in the State of Michigan. Said first annual meeting to be held on the first Monday in April, A. D. 1900. The following named persons to act as election commissioners: James McCann, chairman; Neil Gallagher, clerk; John Floyd and John O'Brien.

And be it further resolved, That Wm. J. Gallagher, shall post or cause to be posted, three notices of said election and registration, in three public places, in said territory above described, at least ten days before said election.

Signed and presented by William J. Gallagher.

On motion of William Mears, said resolution was unanimously adopted.

E. C. CHEW,

Chairman.

FRANK A. KENYON,

Clerk.

STATE OF MICHIGAN, }
County of Charlevoix, } ss.

I, Frank A. Kenyon, county clerk and clerk of the board of supervisors for the county of Charlevoix, do hereby certify, that the above is a true and correct copy of the records of the board of supervisors of the county of Charlevoix, and of the whole thereof in the matter of detaching territory from the township of Peaine, and erecting the same into a new township to be called the township of St. James.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the circuit court for the county of Charlevoix, this 3d day of April, A. D. 1900.

[L. s.]

FRANK A. KENYON,

County Clerk.

CHEBOYGAN COUNTY.

In the matter of the application of certain freeholders for the erection and organization of a new township, to be known as the township of Koehler.

At a regular meeting of the board of supervisors of Cheboygan county, held at the court house in the city of Cheboygan on Wednesday the 23d day of October, A. D. 1901.

By Supervisor Bowen:

In the matter of the application of certain freeholders for the erection and organization of a new township.

WHEREAS, An application has been duly made to the board of supervisors of the county of Cheboygan by Chas. Scott, J. H. Temple, H. L. Koehler, Herman Goerke, Christian Goerke, Emil Goerke, J. H. Vande-Bosch, Elmer E. Macomber, Leslie Wright, D. N. Williams, Jos. Bras-

seur, John Blat, Mary Syiappi, Archibald Vizeneau, F. C. Knous, W. H. Ostrander, G. W. Brown, Erik Carleson, A. W. Ingersoll, C. W. Lebaror, John Gorbutt, August Kinde, Wm. F. Morrow, Delmer Carter, Cyrus H. Wilson, Wm. Hackleberg, Alex. Bloom, Chas. E. Newman, A. T. Wyrick, Chas. Eddie, J. E. Vermilya, John Sabin, Clem Parks, J. W. Horn, I. A. Ranney, Henry M. Cole, Seth Lovewell, Geo. M. Harmon, Henry Nichols, James Dagwell, all of whom are freeholders and twelve of whom reside in each of the townships to be affected thereby, for the erection and organization of a new township of the territory described, and the said board having been furnished with a map of all the townships to be affected thereby; and it appearing to said board by due proof that notice in writing of such intended application, signed by at least twelve freeholders of the township or townships to be thereby affected, has been duly posted up and published in the manner and during the time required by law, and it also appearing to said board that the said application ought to be granted.

Thereupon it is ordered and determined by said board that the territory described as follows, to wit: The west half of township thirty-five (35) north of range number one (1) west, also all that part of township thirty-five (35) north of range two (2) west lying east of Mullet lake and Indian river, except sections 18, 19, 30 and 31 and that part of section 7 lying east of Indian river, be and the same is hereby erected and organized into a new township to be called and to be known as the township of Koehler; that the first annual township meeting therein shall be held at the school house in school district No. 7 on the first Monday in April next, and that Wm. H. Ostrander, Chas. G. Scott, and Wm. F. Morrow, three electors of said township, are hereby designated as the persons whose duty it shall be to preside at said meeting, appoint a clerk, open and keep the polls and to exercise the same powers as the inspectors of any township meeting may exercise under the laws of this State.

Which resolution did prevail, a majority of all the supervisors present voting therefor by yeas and nays, as follows:

Yeas—Barrett, Bell, Bebee, Bowen, Churchill, Earl, Eck, Enos, Gerow, Hamman, Harrison, McCallum, McTiver, Passino, Scott, Sutherland, Tucker, Todd, Tonn, Wilson. Total, 20.

Nays—None.

Absent—Humphrey. Total, 1.

On motion of Mr. Eck board adjourned until tomorrow morning at ten o'clock.

E. N. GARDNER,

Clerk.

J. L. BARRETT,

Chairman.

STATE OF MICHIGAN, }
County of Cheboygan, } ss.

I, E. N. Gardner, clerk of the county of Cheboygan, and clerk of the circuit court for said county, the same being a court of record and having a seal, do hereby certify that I have compared the annexed copy of statement of the action of the board of supervisors of said county relative to the organization of the township of Koehler, Cheboygan county,

Mich., with the original record thereof now remaining in my office, and have found the said copy to be, and that the same is, a true and correct transcript therefrom, and of the whole of such original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court, at Cheboygan, this 21st day of November, A. D. 1901.

E. N. GARDNER,
Clerk.

HOUGHTON COUNTY.

In the matter of the application of certain freeholders for the erection and organization of a new township to be known as Elm River:

WHEREAS, An application has been duly made to the board of supervisors of the county of Houghton, by Donald Grant, Leonard Gillespie, Wm. M. Peterson, August Nisula, Herman Heikkinen, Robert Byrne, James Culet, Theo. Grenier, Alex. Henderson, Jay T. Drew, S. H. McDowell and Norton R. Wheeler, freeholders of the township of Laird, in said county, and by Mary M. Douglass, Michael Messner, Adolph Haas, Edward F. Douglass, Wm. McLeod, John Juntikka, Karl Keisgi, Jacob Nickles, Frank Scheuermann, John B. Weber, Michael Murphy, C. C. Douglass and J. H. Collins, freeholders of the township of Adams, in said county, and by C. D. Sheldon, W. F. Miller, Casper Brand, Will C. Baudin, Pitre Destrampe, George Brand, Charles Bruneau, Phil Scheuermann, John Kutscheid, John Brassau, E. Johnston and G. Hartmann, freeholders of the township of Portage, in said county, for the erection and organization into a new township of the territory herein-after described; and the said board having been furnished with a map of all the townships to be affected thereby, and it appearing to said board by due proof that notice in writing of such intended application, signed by at least twelve freeholders of each of the townships to be affected thereby, to wit: the said townships of Portage, Adams and Laird, has been duly posted up and published in the manner and during the time required by law; and it also appearing to said board upon consideration thereof, that the said application should be granted.

Thereupon, it is ordered and determined by the said board that the territory described as follows, to wit: Sections nineteen (19), twenty (20), twenty-one (21), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), and thirty-three (33), in township fifty-three (53) north of range thirty-five (35) west, heretofore included in and hereby detached from the said township of Adams; and sections five (5), six (6), seven (7), eight (8), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-nine (29), thirty (30), thirty-one (31), and thirty-two (32), in township fifty-two (52) north, of range thirty-five (35) west, heretofore included in and hereby detached from the said township of Portage; and sections twenty-five (25) to thirty-six (36), both inclusive, in township fifty-three (53) north, of range thirty-six (36) west; the entire of township fifty-two (52) north, of range thirty-six (36) west; sections one (1) to eighteen (18), both inclusive, in township fifty-one

(51) north, of range thirty-six (36) west; and sections five (5), six (6), seven (7), eight (8), seventeen (17) and eighteen (18), in township fifty-one (51) north, of range thirty-five (35) west, heretofore included in and hereby detached from the said township of Laird, be and the same is hereby erected and organized into a new township to be called and known as the township of Elm river. That the first annual township meeting therein shall be held at the office of the Wyandot Copper Company on Monday the 2d day of April next, and William C. VanOrden, John H. Hickok and Walter Harris, three electors of such township, are hereby designated as the persons whose duty it shall be to preside at said meeting, appoint a clerk, open and keep the polls and to exercise the same powers as the inspectors of any township meeting may exercise under the laws of this State.

Adopted by yeas and nays, a majority of all the members elected voting therefor, to wit:

Yeas—Messrs. A. J. Scott, Z. W. Wright, S. B. Harris, W. E. Parnall, Donald Grant, Chrestof Fox, Charles Smith, A. D. Edwards and John Duncan.

Nays—William Kroll.

STATE OF MICHIGAN, }
County of Houghton. } ss.

I, Louis H. Richardson, clerk of said county and of the board of supervisors thereof, do hereby certify that the annexed is a correct transcript carefully compared by me from the original record of the proceedings of the board of supervisors of said county, on the 12th day of December, A. D. 1899, upon the application of Donald Grant and others, for the erection and organization of a new township, now remaining in my office, and of the whole of such original record. And I further certify that the annexed is a true and correct copy of the map presented to said board on the said application.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the circuit court for said county, this 12th day of December, A. D. 1899.

LOUIS H. RICHARDSON,
County Clerk.

CERTIFIED COPIES OF PROCEEDINGS

RELATIVE TO THE INCORPORATION OF VILLAGES.

CHIPPEWA COUNTY.

In the matter of the incorporation of the village of Detour.

STATE OF MICHIGAN, }
County of Chippewa, } ss.

Supervisors' Room, Court House, March, 16, 1899.

At a session of the board of supervisors of the county of Chippewa, State of Michigan, held at the court house in the city of Sault Ste. Marie, in said county, the following resolution was offered, By supervisor Butterfield, supported by Supervisor Campbell:

WHEREAS, Application has been made to this board on the 14th day of March, A. D. 1899, by petition signed by Samuel Butterfield and forty-six other persons, all legal voters within the territory described in said petition, for the incorporation of certain territory located in the township of Detour in the county of Chippewa, as a village to be known and designated and named as the village of Detour and,

WHEREAS, It has been made to appear to this board that the said persons did, within sixty days before making the said application, cause an accurate census to be taken of the resident population of said territory, as required by law, which said census, duly verified, is attached to said petition, and,

WHEREAS, It is further made to appear to this board that said persons have also given notice of said application by posting the same in five public places in said territory and by printing the same in the Sault Ste. Marie News and in the Soo Democrat, weekly newspapers printed in the county of Chippewa, once in each week for four successive weeks immediately previous to the time of making said application, and annexed to said petition copies of said notice with the affidavits of posting and publishing the same, as required by law, and,

WHEREAS, It has been made to appear to this board and this board being satisfied that all of the requirements of law, in respect to said application have been complied with, and that said territory contains the population required by law. Now, therefore, be it,

Resolved, That an order be and the same is hereby made, and it is hereby ordered and declared that the following described territory lying,

being and situated in the township of Detour, in the county of Chippewa, and State of Michigan, be and the same is hereby incorporated as a village, by the name of the village of Detour, to wit: Beginning at a point in the center line of the principal or steamboat channel of St. Mary's river (so called) directly opposite in a line with the north line of fractional section twenty-one (21), town forty-two (42) north, of range four (4) east; thence westerly in a line with said north line of fractional section twenty-one (21) to a point in said river directly opposite and in a line with the west line of fractional section twenty-two (22) and twenty-seven (27), town forty-two (42) north, of range four (4) east; thence southerly along the west line of fractional section twenty-two (22) and twenty-seven (27) and section thirty-four (34) town forty-two (42) north, of range four (4) east, and along the west line of fractional section three (3), town forty-one (41) north, of range four (4) east, and the same line extended to a point in Lake Huron directly opposite and in a line with the south line of fractional section ten (10), town forty-one (41) north, of range four (4) east; thence easterly along said south line of fractional section ten (10) and the same line extended to a point in the center of the main or steamboat channel, in and near the mouth of that part of the St. Mary's river commonly known as "Detour Passage;" thence northerly and northwesterly along the center of said channel until it reaches the place of beginning, said description embracing fractional sections twenty-two (22), twenty-six (26), twenty-seven (27) and thirty-five (35) and section thirty-four (34) in town forty-two (42) north, of range four (4) east, and also fractional section two (2), three (3) and ten (10), in town forty-one (41) north, of range four (4) east.

And it is further ordered, that the first election of officers of said village shall be held on the 10th day of April, A. D. 1899, in the jail building at the present so called village of Detour, in the said territory comprising the said incorporated village, and that James T. Bennett, Dr. W. B. House, Amos Olmstead and Joseph Goetz, discreet persons and residents of said territory and qualified electors therein, shall constitute a board of registration for said first election, and who shall also act as inspectors of election thereat.

Carried as follows: Yeas, 17. Nays, 0.

STATE OF MICHIGAN,)
 County of Chippewa,) ss.
 Office of County Clerk,)

I, Jno. E. Parsill, clerk of the board of supervisors of said county, do hereby certify that the annexed is a true and accurate copy of original resolution passed and adopted by the board of supervisors, on the 16th day of March, A. D. 1899, in my custody and keeping as such clerk; that I have carefully compared said copy with said resolution concerning the incorporation of the village of Detour and that the same is a true and accurate copy of said original and of the whole of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
 affixed the seal of the circuit court of said county this
 day of January 24th, A. D. 1901.

[L. s.]

JNO. E. PARSILL,
 Clerk.

GENESEE COUNTY.

In the matter of the incorporation of the village of Montrose.
Session of the board of supervisors, October 19th, 1899.

At a session of the board of supervisors for the county of Genesee and State of Michigan, continued and held at the clerk's office, in the city of Flint, in said county, on Thursday, October 19, A. D. 1899.

Board met pursuant to adjournment. Roll called. Quorum present. Minutes of yesterday read and approved. The clerk read the following resolution:

WHEREAS, The board of supervisors of Genesee county, State of Michigan, at their regular session have received a petition from a portion of the inhabitants of the township of Montrose in said county and State asking that a portion of said township be set aside and incorporated under the laws of the State of Michigan, to be known as the village of Montrose. And,

WHEREAS, The said petition has been duly received and filed with the county clerk of said county, and,

WHEREAS, The same conforms with all the requirements of the statute in regard to the incorporation of villages, and it satisfactorily appearing to said board that no opposition exists to such incorporation. Now, therefore, be it

Resolved, By said board of supervisors that the prayer of the said petitioners be granted, and we, the said board of supervisors of said county, do hereby ordain and establish the territory mentioned and described in said petition to be the village of Montrose, Genesee county, and State of Michigan.

And it is hereby further ordered, that the first election of the said village of Montrose, shall be held on Wednesday, the twenty-second day of November, A. D. 1899, at the hall of William Middlebrook, in the said incorporated village of Montrose.

It is also hereby further ordered by said board of supervisors that the board of registration for said first election shall consist of the following resident citizens and electors, namely: William Hillier, Charles Edenbeck, Preston Park, and W. R. Gaff, and they are hereby named and nominated to carry into effect all the necessary legal requirements for the first election to be held in said village of Montrose on the said twenty-second day of November, A. D. 1899.

Dated at Flint, Michigan, this 19th day of October, 1899.

Mr. Murphy moved that the resolution be adopted and printed with the proceedings of the board, and that the county clerk furnish a certified copy of this resolution to the Secretary of State, at Lansing. Which motion prevailed.

SUMNER G. HORTON,
Chairman.
JOHN C. GRAVES,
Clerk.

STATE OF MICHIGAN, }
 County of Genesee. } ss.

I, John C. Graves, clerk of said county and of the circuit court thereof, a court of record, do hereby certify that I have compared the foregoing copy of the resolution adopted by the board of supervisors of Genesee county, Michigan, incorporating the village of Montrose with the original record thereof now remaining in the office of the county clerk of said county, and have found the same to be a correct transcript therefrom and the whole of such original record.

IN TESTIMONY WHEREOF I have hereunto set my hand and
 [L. S.] affixed the seal of said court at the city of Flint, this
 fourth day of November, A. D. 1899.

JOHN C. GRAVES,
 Clerk.

By JESSIE HUGHES,
 Deputy Clerk.

[I. R. stamp.]

GLADWIN COUNTY.

In the matter of the incorporation of the village of Beaverton.

Gladwin county, Mich., January 9th, 1896.

Board of supervisors met pursuant to adjournment. Supervisor Plummer in the chair.

Roll called, absent at call, Lewis, Gifford, Oliver and Smith. Chairman excused Supervisors Oliver and Smith. Minutes of yesterdays read and approved. Supervisor Gifford now took his seat. The committee on incorporation of Beaverton report as follows:

To the Hon. Board of Supervisors:

Your committee to whom was referred the matter of the incorporation of the village of Beaverton, would recommend as follows: As we find the proceedings pertaining thereto appear to be all regular. Therefore, we would recommend, that this board authorize the incorporation of the village of Beaverton; the same to include the following described lands; all the north half of section twelve, and the north half of southeast quarter of section twelve, and the northeast quarter of the southwest quarter of section twelve, of town seventeen north, of range two west; and the northwest quarter of section seven and north half of southwest quarter of section seven, in town seventeen north, range one west, State of Michigan, and for that purpose hereby recommend the adoption of the attached resolution.

WHEREAS, Application has been made to this board under the provisions of act No. 3 of the public acts of Michigan, for the year 1895, for the incorporation as a village under the name of the village of Beaverton, of the following described lands, situated in Gladwin county, viz:

Section twelve of the township of Beaverton and the west half of section seven of the township of Tobacco, excepting the south half of the south half of said described lands, and N. W. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of said section twelve (12), which said application was signed by the required number of residents and legal voters in said territory and was accompanied by a census of the inhabitants of said territory, duly made and sworn to, showing that the said lands contain a population of more than 300 persons and that with due proof of the publication of notice of the said application for the incorporation as a village. And it further appearing that all things have been done requisite, under the provisions of said act, to authorize incorporation of said territory by the board upon said application. Therefore,

Resolved and ordered by this board, That the said application for incorporation be and the same is hereby granted, and that said described lands in sections 7 and 12 above named, be declared an incorporated village under the name and style of the village of Beaverton. That the first election in said incorporation be held on the first Tuesday in March, 1896, and at Tonkins Hall, within said incorporated territory, and that Daniel A. Doan, Garrison C. Reynolds, Warren Scott and Neil McKinnon, discreet persons residing and qualified electors in said territory, be and are hereby appointed as a board of registration for said first election, and to act as inspectors thereof and perform such further duties as may be required of them under the said act No. 3 of 1895.

J. M. SHAFFER,
R. CROSKERY,
E. E. WATSON,
Committee.

Which was adopted by vote as follows:

Yeas—Croskery, Dow, Lewis, Gifford, Hall, Hart, Knox, Murphy, Plummer, Raymond, Shaffer, Watson.

Nays—None.

STATE OF MICHIGAN, }
County of Gladwin, } ss.

I, Sherman S. Townsend, clerk of said county of Gladwin and clerk of the circuit court for said county, do hereby certify that I have compared the foregoing copy of a resolution passed by the board of supervisors of said county on the 9th day of January, A. D. 1896, with the original record thereof, now remaining in my office, and that it is a true and correct transcript therefrom, and of the whole of such original record.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court and county, this 19th day of February, A. D. 1901.

[L. S.]

SHERMAN S. TOWNSEND,
Clerk.

HILLSDALE COUNTY.

In the matter of the incorporation of the village of Camden.

WHEREAS, Application in due form was, one the 29th day of March, 1899, made to the board of supervisors of the county of Hillsdale and State of Michigan, in regular session assembled, for the incorporation of part of the township of Camden in said county of Hillsdale, as a village; and,

WHEREAS, Said application is signed by more than thirty legal voters residing within the territory proposed to be incorporated in such village; and,

WHEREAS, None of the territory proposed to be included in such village is included in any village now incorporated; and,

WHEREAS, It appears from a duly verified census attached to said petition that more than 300 persons are residents of the territory proposed to be included in such village and,

WHEREAS, It appears from proper affidavit attached to said petition that notice of such application has been given as required by law; and,

WHEREAS, Said board of supervisors has heard all the parties interested in said application who have appeared and asked to be heard; and,

WHEREAS, Said board of supervisors are satisfied, after hearing the parties, that all the requirements of act number 3 of the session laws of 1895 of the State of Michigan in respect to such application have been complied with and that the territory proposed to be included in such village contains an area of not less than one square mile and contains a resident population of over three hundred. Therefore, it is hereby ordered:

First. That the territory described in such petition and more fully described as the north one-half ($\frac{1}{2}$) of the north one-half ($\frac{1}{2}$) of section twenty-seven (27) and the south one-half ($\frac{1}{2}$) of section twenty-two (22) and the south one-half ($\frac{1}{2}$) of the north one-half ($\frac{1}{2}$) of section twenty-two (22), all in town eight (8) south of range four (4) west, township of Camden, county of Hillsdale and State of Michigan, which territory is contained within the following boundaries, to wit: Commencing at the southwest corner of the north one-half ($\frac{1}{2}$) of the northwest quarter ($\frac{1}{4}$), section twenty-seven, town eight (8) south, of range four (4) west; running thence east one (1) mile, parallel with the north section line of said section to the east section line of said section; thence north along the east section lines of sections twenty-seven (27) and twenty-two (22) one (1) mile; thence west one mile parallel with the north section line of section twenty-two (22) to the west section line of section twenty-two (22); thence south one mile along the west section lines of sections twenty-two and twenty-seven (27), to place of beginning, be, and the same is hereby declared and ordered to be, an incorporated village, under and by the name of the village of Camden.

Second. The first village election in said village of Camden shall be held on Monday, April 24th, 1899, at Rowe's opera house, in said village of Camden.

Third. Ford Norris, Floyd Rowe, Himan H. Houtz and Marvin L. Perego, being discreet persons, residents of such territory and qualified electors therein, are hereby appointed and shall constitute the board of registration for said first election in said village of Camden, and shall also act as inspectors of election at said first election in said village.

O. B. LANE,

Chairman of Board of Supervisors.

FRANK L. MASTERS,

Clerk of Board of Supervisors.

MONROE COUNTY.

In the matter of the incorporation of the village of Maybee.

Thursday, October 19th, 1899.

The board met pursuant to adjournment and called to order by the chairman. Roll called, showed a quorum present.

Mr. Miller moved the following resolution and moved its adoption, which read as follows:

WHEREAS, The application of Daniel Hasley and others, to this board for an order incorporating the territory hereinafter described as a village, pursuant to the provisions of act number three, acts of State of Michigan for the year one thousand eight hundred ninety-five, having been duly considered, all the parties interested herein having been heard and this board being satisfied that all the requirements of the said act in respect to such application have been duly complied with and that said territory contains the population required by the terms of said act. Therefore, by the board of supervisors of the county of Monroe, in the State of Michigan, be it

Resolved, First. That all that certain part of the township of Exeter in said county of Monroe, described as follows, to wit: Commencing at the northwesterly corner of old claim number four hundred twenty-eight (428) north of the River Raisin; thence running southeasterly to the northeasterly corner of old claim number three hundred and fifty (350) north of said river; thence southerly on the easterly line of said claim number three hundred and fifty (350) to the township line between the townships of Exeter and Raisinville, in said county; thence west on said township line to the west line of said claim number four hundred twenty-eight (428); thence northeasterly on the west line of said claim number four hundred and twenty-eight (428) to the place of beginning, containing an area more than one (1) square mile, be and the same is hereby declared to be an incorporated village; said incorporated village to be known and designated by the name "Maybee."

Second. The first election of the officers of said village shall be held at the district school house in said village on Monday the twentieth day of November, A. D. 1899.

Third. Daniel Hasley, Leonard Reiser, Charles Kiley and Sebastine Leidel, discreet persons, residents of said incorporated village and quali-

fied electors therein, are hereby appointed to constitute a board of registration for said first election to be held in said village and to act as inspectors of election at said first election.

Resolution was supported by Mr. Snell and adopted by more than a majority vote of supervisors elect.

STATE OF MICHIGAN, }
County of Monroe, } ss.

I, C. A. Maurer, clerk of the county of Monroe and of the circuit court thereof, the same being a court of record, and having a seal, do hereby certify, that I have compared the annexed copy of record of board of supervisors with the original record of said board of supervisors now remaining in my office, and have found the said copy a correct transcript therefrom and of the whole of such original record.

IN TESTIMONY WHEREOF I have hereunto set my hand and
affixed the seal of said circuit court, at Monroe, this
[L. S.] sixth day of April, 1901.

[I. R. Can. stamp.]

C. A. MAURER,
Clerk.

OTSEGO COUNTY.

In the matter of the incorporation of the village of Vanderbilt.

On reading and hearing the application of George Long and thirty-nine other persons, legal voters and residents of the territory herein-after described, and all other persons who appeared and asked to be heard: It is hereby ordered by this board, that all that territory situate in the township of Corwith, county of Otsego and State of Michigan, viz: The north half ($\frac{1}{2}$) of section twenty-seven (27) and the south half ($\frac{1}{2}$) of section twenty-two (22), all in township thirty-two (32) north of range three (3) west, be and the same is hereby incorporated into a village and shall be hereafter known and designated as the village of Vanderbilt:

And it is further ordered, that the first election in said village be held at the Corwith town hall in said village, on the second Monday of March, A. D. 1902; and the following named persons, residents of said territory and qualified electors, are hereby appointed who shall constitute a board of registration for said first election to be held in said village, and who shall also act as inspectors of election of said first election, viz: John C. Scott, Seth M. French, John G. Berry, John A. Hixson.

STATE OF MICHIGAN, }
County of Otsego, } ss.

I, Chas. H. Welch, clerk of said county of Otsego and clerk of the circuit court for said county, do hereby certify that I have compared the foregoing copy of resolution and order, (which resolution and order was carried by a unanimous vote of the board of supervisors for said

county), with the original record thereof, now remaining in my office, and that it is a true and correct transcript therefrom, and of the whole of such original record.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court and county, this first (1st) day of July, A. D. 1901.

CHAS. H. WELCH,
Clerk.

PRESQUE ISLE COUNTY.

In the matter of the application of certain resident voters for the incorporation of the village of Millersburg.

On motion the petition to incorporate the village of Millersburg was taken up.

To the Honorable Board of Supervisors of the county of Presque Isle, Michigan:

Gentlemen—We, your petitioners, hereby make application for the incorporation into a village to be known as Millersburg of the following described lands and (territory) which is not already within an incorporated village, viz: Entire section fifteen (15) all contained in town 34 north range 3 east, Presque Isle county, Michigan. Your petitioners hereby show to your honorable body that the territory above described contains 599 persons residing therein according to a census taken under act No. 3, public acts of 1895 as found on page 870 of volume one compiled laws of 1897. The said census hereto attached together with a copy of notices for application and affidavit of posting and publishing the same. Your petitioners being residents and legal voters residing in said territory, and we also ask your honorable body to appoint C. R. Williams, O. S. Burton, A. Kline and J. K. Merz a board of registration as per section 2692 of the compiled laws of 1897, and to fix according to the same section, April 20th, 1901, as the day upon which to hold the first election for the said village of Millersburg. And we will ever pray, and hereby ask that their petition be granted and that the within described land and territory be incorporated as requested and we will ever pray:

C. R. Williams, R. Smith, Geo. W. Fletcher, W. H. Frier, Warron Rhodes, Ben Hill, A. E. Whitney, Wm. Waltenburg, R. P. Holihan, Charles Heron, Wm. Mulveyrna, E. T. Gard, E. M. Travis, Joseph Realan, J. D. Walker, A. C. Monroe, A. R. Mullenger, J. C. Orr, Joseph Repau, Wm. Sacks, John Vance, R. E. Hawks, David Watson, C. M. Robins, A. Crop, J. K. Merz, H. L. Alderman, W. B. Derry, F. C. McDougall, M. J. Cole.

STATE OF MICHIGAN, }
County of Presque Isle, } ss.

Henry Whitely being duly sworn deposes and says that he is the publisher of the Presque Isle County News, a newspaper published and circulating in the said county of Presque Isle, that the annexed notice of (for) incorporation was taken from said newspaper in which it was

duly published at least once in each week for four successive weeks, that the first publication thereof was on the 23d day of February, 1901, that it was published each succeeding week thereafter until the last publication thereof, which was on Saturday, the 16th day of March, 1901.

HENRY WHITELY.

Subscribed and sworn to before me this 16th day of March, 1901.

R. P. HOLIHAN,
Notary Public.

NOTICE OF APPLICATION FOR INCORPORATION OF THE VILLAGE OF
MILLERSBURG.

Notice is hereby given to the residents and property owners and legal voters of the following described lands and territory that an application will be made to the board of supervisors of Presque Isle county, Michigan, at their meeting held March 20th, 1901, at Rogers city, Mich., for the incorporation of said land and territory into a village to be known and designated as the "Village of Millersburg." The lands and territory are described as follows, to wit: Entire section No. (15) fifteen all contained in town 34 north, range 3 east, Presque Isle county, Michigan:

C. R. Willings, Geo. W. Fletcher, Marion Rhodes, A. E. Withey, R. P. Holihan, Wm. Mulvena, E. M. Lewis, J. D. Walker, R. A. Mullenger, Wm. Sloan, Joseph Ryan, Wm. Sacks, N. E. Hawks, David Watson, C. M. Robins, W. H. Friers, Jas. White, G. B. Congdon, A. Crop, J. K. Merz, H. L. Alderman, W. B. Derry, F. E. McDougall, M. J. Cole, Ben Hill, Wm. Waltenburg, Chas. Heron, E. T. Gard, Joseph Rouleau, F. W. Craig.

STATE OF MICHIGAN,)
County of Presque Isle,) ss.

R. A. Mullenger of Millersburg, township of Case, being duly sworn, deposes and says that he took a census of the territory lying within section fifteen (15), town 34 north, range 3 east, which said territory was designed to be incorporated into a village known as the village of Millersburg, that said census is hereto attached. That said census was taken on the 12th day of February and succeeding days. That said census was of the resident population and is accurate and was taken under the provisions of section 2687 of compiled laws of 1897. That said census was taken for the purpose of aiding in the matter of the incorporation of said territory into the village of Millersburg. That said census does not include any of the population outside of section 15, town 34 north, range (3) three east.

R. A. MULLENGER.

Subscribed and sworn to this 16th day of March, 1901.

RICHARD P. HOLIHAN,
Notary Public.

STATE OF MICHIGAN,)
County of Presque Isle,) ss.

R. A. Mullenger of Millersburg, in said county, being duly sworn, deposes and says that on the ninth day of February, A. D. 1901, he posted

up one notice of application for incorporation of the village of Millersburg, Mich., of which the annexed printed notice is a true copy at each of the following named places in the township of Case, in said county, to wit: One at postoffice, Millersburg; one at corner of Robins' store, Millersburg; one at township clerk's office, Millersburg, being three of the most public places in said township of Case and territory to be incorporated and that said notices were conspicuously and securely posted.

R. A. MULLENGER,

Subscribed and sworn to before me this 18th day of March, A. D. 1901.

RICHARD P. HOLIHAN,

Notary Public.

After hearing all parties interested who did appear and asked to be heard in relation to the incorporation of the village of Millersburg, in Presque Isle county, State of Michigan.

On motion of Supervisor Holihan, seconded by Supervisor Heslip,

Resolved, And be it hereby ordered that all of section 15, town (34) thirty-four north of range three east meridian of Michigan, be and the same is hereby organized and incorporated into a village to be known as the village of Millersburg, with all the powers and privileges of a village in the State of Michigan, according to the statute in such case made and provided, and that the first election of officers of said village, shall be held in Kirnnals hall in said village of Millersburg, on Monday, 22nd day of April, A. D. 1901.

C. R. Willings, C. S. Burton, A. Klein, J. K. Merz, hereby constitute a board of registration for the purpose of registering votes for the first election to be held in said village; and said board of registration shall also constitute the board of election inspectors of said village at said election.

"Ayes—Supervisors Hoeft, Kennedy, Peltz, Holihan, Heslip and Young."

"Nays—Supervisors Smolenski, Nourike, Skiba and Gropmann."

Motion carried.

STATE OF MICHIGAN, }
County of Presque Isle, } ss.

I, Charles Platz, Jr., clerk of the circuit court of said county, the same being a court of record and having a seal, do hereby certify that I have compared the foregoing copy of resolutions adopted by the board of supervisors of Presque Isle county with the original record and files thereof now remaining in my office, and have found the same to be a correct transcript therefrom, and the whole of such original record and files.

IN TESTIMONY WHEREOF I have hereunto set my hand and
affixed the seal of said court, at Rogers City, Mich.,
this 18th day of July, A. D. 1901.

[L. s.]

CHARLES PLATZ JR.

WAYNE COUNTY.

In the matter of the incorporation of the village of Woodmere.
Quinquennial session of the board of supervisors of Wayne county.

Twelfth day, Monday, July 29, 1901.

On roll call a quorum was shown to be present.

By Supervisor Lynch:

Resolved, That an order be, and the same is hereby made and granted to Frank H. Beard and other petitioners, being legal voters residing within that portion of Springwells township, Wayne county, Michigan, hereinafter described, to incorporate and hereby incorporating said territory as a village under the name of the village of Woodmere, in accordance with "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties," being act No. 3. of the public acts of 1895, of the State of Michigan, and acts amendatory thereto. Said territory is described as follows: Beginning at the intersection of Artillery avenue and the northerly limits of the village of Delray; thence northerly along the westerly boundary of the city of Detroit to Dix avenue; thence southeasterly on said Dix avenue to the westerly line of the city of Detroit; thence northerly along the westerly line of the city of Detroit to the southerly line of the main line of the Toledo branch of the M. C. R. R. track; thence southwesterly along said southerly line of the main line of the Toledo branch of the Michigan Central railroad track to the northerly line of Dix avenue; thence westerly along the northerly line of Dix avenue to the northerly line of Toledo avenue; thence westerly along the northerly line of Toledo avenue to the center line of the alley next east of Casper avenue; thence northerly along the center line of said alley and the center line of said alley extended to the northerly line of Dix avenue; thence westerly along the northerly line of said Dix avenue to the intersection of the westerly line of Woodmere avenue; thence southwesterly along said westerly line of Woodmere avenue to the intersection of the northerly line of Toledo avenue, and Toledo avenue extended; thence westerly along the northerly line of Toledo avenue and Toledo avenue extended to the easterly line of the Baby creek; thence following the said easterly line of the Baby creek along in a southerly direction to the channel bank of the River Rouge, at low water mark; thence along the channel bank of the River Rouge at low water mark to the northerly boundary line of the village of Delray; thence along said northerly boundary line of the village of Delray, said line being the southerly line of the Wabash railroad, to the place of beginning. Said territory lying and being in the township of Springwells, Wayne county, Michigan. And be it further

Resolved, That the date for the first election of village officers in and for said village of Woodmere be, and the same is hereby fixed for Monday, the 26th day of August, A. D. 1901. The polls of said election to be open from 7 o'clock in the morning to 5 o'clock in the afternoon. Said election to be held at the store of Charles Brienbach, at or near the

corner of Fort street west, and Govin street, in said proposed village of Woodmere; and this board doth appoint Matthew H. Winters, Edmund S. Beard, John F. Maundawatt and William Unruh, four discreet persons legally qualified and residing within said territory, as inspectors of election at said first election, and to constitute a board of registration for the first election in and for said village of Woodmere.

By Supervisor Lynch:

Moved the adoption of the resolution, which was adopted by the following vote:

Yeas—Supervisors Atyeo, Barrie, Brown, Buckley, Campbell, Chavey, Coots, Crowley, Day, Deimel, DeLisle, Esper, Haarer, Hansjosten, Hillger, Houghton, Jerome, Joy, Keating, Kemp, Koch (Max), Koch (Louis), Koenig, Lanning, Lemke, Liphardt, Loranger, Lynch, McGuire, Magee, Marx, Megges, Milliken, Moeller, Mohn, Monaghan, Nash, Neverman, Reinhardt, Riopelle, Root, Smith, Snow, Steiger, Stiles, Tossy, Trombley, Underwood, Vroman, Weber, Weibel, Weiler and the chairman.

Nays—None.

STATE OF MICHIGAN, }
County of Wayne, } ss.

I, Wm. H. McGregor, clerk of Wayne county and clerk of the circuit court for the county of Wayne, do hereby certify that the above and the foregoing is a true and correct copy of an order made by the board of supervisors of Wayne county, Michigan, at a session of said board held on Monday, July 29, 1901, as appears of record in my office. That I have compared the same with the original and it is a true transcript therefrom and of the whole thereof.

[L. S.] IN TESTIMONY WHEREOF I have hereunto set my hand and
affixed the seal of said court and county, at Detroit,
this 13th day of August, A. D. 1901.

WM. H. MCGREGOR,

Clerk.

CHAS. P. BENOIT JR.,

Deputy Clerk.

WAYNE COUNTY.

In the matter of the incorporation of the village of Glenwood.
Annual session 1900 of the board of supervisors of the county of Wayne. Twenty-first day.

March 5th, 1900.

By Supervisor Prochaska:

Moves the adoption of the minority report and offers the accompanying resolution.

RESOLUTION.

By Supervisor Prochaska:

Resolved, That an order be and the same is hereby granted to Samuel J. Lawrence and other petitioners, being legal voters residing within that portion of Ecorse township, Wayne county, Michigan, described as: Bounded upon the north by the center line of the Northline road, so called; upon the west by the center line of Fort street; upon the east by the westerly line of the city of Wyandotte, and upon the south by the center line of Eureka avenue, to incorporate and hereby incorporating said territory as a village, under the name of the village of Glenwood in accordance with "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties," being act number three (3) of the public acts of 1895 of the State of Michigan; and be it further

Resolved, That the date for the election of village officers in and for said village of Glenwood be and the same is hereby fixed for Monday the 9th day of April, A. D. 1900; the polls at said election to be open from seven (7) o'clock in the morning to five (5) o'clock in the afternoon. Said election to be held at the office of James Clark on Eighth and Oak streets in said village of Glenwood, and this board doth appoint James Clark, Herman Turski, Adolph Smith and Louis Burrasau as inspectors of election at said election and to constitute a board of registration for the first election for said village of Glenwood.

By Supervisor Megges:

Moves as an amendment the adoption of the majority report.

By Supervisor Koch:

Moved as a substitute of the whole that the resolution and reports be laid on the table until the next meeting of the board of supervisors, which was lost by the following vote:

Yeas—Supervisors Barrie, Bleil, Coots, Fracher, Grunow, Haarer, Houghton, Knauss, Koch, Lemke, Lynch, McGraw, McGuire, Mayhew, Megges, Merrill, Pernot, Reinhardt, Snow, Starkweather, Stiles, Tossy, Weibel, Weiler, and the chairman.—25.

Nays—Supervisors Adams, Atkinson, Atyeo, Beamer, Benton, Blank, Bosworth, Buckley, Crowley, Deimel, Hansjosten, Harris, Hillger, Humbert, Johnson, Joy, Kemp, Koenig, Miller, Moeller, Nash, Prochaska, Rattenbury, Riopelle, Steiger, Walters, Wildman.—27.

The amended resolution of Supervisor Megges adopting the majority report was then lost by the following vote:

Yeas—Supervisors Deimel, Fracher, Knauss, Koch, Lemke, Lynch, McGuire, Megges, Pernot, Weiler.—10.

Nays—Supervisors Adams, Atkinson, Atyeo, Barrie, Beamer, Benton, Blank, Bleil, Bosworth, Buckley, Coots, Crowley, Grunow, Hansjosten, Harris, Hillger, Houghton, Humbert, Johnson, Joy, Kemp, Koenig, McGraw, Mayhew, Merrill, Miller, Moeller, Nash, Prochaska, Rattenbury, Reinhardt, Riopelle, Snow, Starkweather, Steiger, Stiles, Tossy, Walters, Weibel, Wildman, and the chairman.—41.

The minority report and resolution of Supervisor Prochaska was then adopted by the following vote:

Yeas—Supervisors Adams, Atkinson, Atyeo, Barrie, Beamer, Benton, Blank, Bleil, Bosworth, Buckley, Coots, Crowley, Fracher, Grunow,

Hansjosten, Harris, Hillger, Houghton, Humbert, Johnson, Joy, Kemp, Knauss, Koenig, Lemke, Lynch, McGraw, Mayhew, Megges, Merrill, Miller, Moeller, Nash, Pernot, Prochaska, Rattenbury, Reinhardt, Riopelle, Snow, Starkweather, Steiger, Stiles, Tossy, Walters, Weibel, Weiler, Wildman, and the chairman.—48.

Nays—Supervisors Deimel, McGuire.—2.

STATE OF MICHIGAN,)
County of Wayne,) ss.

I, Wm. H. McGregor, clerk of Wayne county, and clerk of the circuit court for the county of Wayne, do hereby certify, that the above and the foregoing is a true and correct copy of order incorporating village of Glenwood entered in the above entitled cause by said court, as appears of record in my office. That I have compared the same with the original, and it is a true transcript therefrom, and of the whole thereof.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court and county, at Detroit, this 16th day of March, A. D. 1900.

[L. s.]

WM. H. MCGREGOR,
Clerk.

By WALTER J. OLDFIELD,
Deputy Clerk.

WAYNE COUNTY.

In the matter of the incorporation of the village of Hamtramck.
Quinquennial session of the board of supervisors of Wayne county.
Twelfth day, Monday, July 29, 1901.

On roll call a quorum was shown to be present.

By Supervisor Chavey:

Resolved, That an order be, and the same is hereby made and granted to William Dickinson and other petitioners, being legal voters residing within that portion of Hamtramck township, Wayne county, Michigan, hereinafter described, to incorporate and hereby incorporating said territory as a village under the name of the village of Hamtramck, in accordance with "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties," being act No. 3 of the public acts of 1895 of the State of Michigan, and acts amendatory thereto. Said territory is described as follows: Beginning at the intersection of the easterly line of quarter section sixty (60) of the ten thousand (10,000) acre tract, with the northerly boundary line of the city of Detroit; thence westerly along the northern boundary of the city to the easterly line of St. Aubin avenue; thence following said city of Detroit boundary northerly along the said easterly line of St. Aubin avenue, and St. Aubin avenue extended to a point in quarter section thirty-nine (39) ten thousand (10,000) acre tract, said point being two hundred and thirty-three (233) feet northerly of the southerly line of said quarter section thirty-nine (39); thence again

following the city limits of Detroit, westerly on a line parallel with the southerly line of said quarter section thirty-nine (39) and being two hundred and thirty-three (233) feet northerly of the southerly line of said quarter section thirty-nine (39), to a point two hundred and thirty-three (233) feet easterly of the center line of Oakland avenue, so called; thence still following the city limits of Detroit, northerly on a line parallel with the center line of Oakland avenue and Oakland avenue extended and two hundred and thirty-three (233) feet easterly thereof to a point indicated by and intersecting the easterly and westerly center line of quarter section twenty-three (23) of the ten thousand (10,000) acre tract, being also on the southerly boundary of the village of Highland Park; thence along the southerly boundary of Highland Park village, easterly along the easterly and westerly center line of said quarter section twenty-three (23) to the westerly line of the Detroit, Grand Haven & Milwaukee railway company right of way; thence along the easterly boundary of Highland Park village northerly along said westerly line of the Detroit, Grand Haven & Milwaukee railway company right of way to the northerly line of said quarter section twenty-three (23); thence easterly along the northerly line of quarter sections twenty-three (23), twenty-two (22) and twenty-one (21), all in the ten thousand (10,000) acre tract, to the northeast corner of said quarter section twenty-one (21); thence southerly along the easterly line of said quarter section twenty-one (21) of said ten thousand (10,000) acre tract, to the northwest corner of fractional section twenty (20), in town 1 south, range 12 east; thence east along the north line of said fractional section twenty (20) to the northeast corner thereof; thence south along the east line of said fractional section twenty (20), town 1 south, range 12 east, to the southeast corner thereof; thence west along the south line of said section twenty (20) to the east line of the ten thousand (10,000) acre tract; thence southerly along the easterly line of quarter section forty-one (41) and sixty (60) of the ten thousand (10,000) acre tract to the northerly limits of the city of Detroit and place of beginning. Said territory lying and being in the township of Hamtramck, Wayne county, Michigan.

And be it further resolved, That the date for the first election of village officers in and for said village of Hamtramck be and the same is hereby fixed for Monday, the 26th day of August, A. D. 1901. The polls of said election to be open from seven o'clock in the morning to five o'clock in the afternoon. Said election to be held at the old school house on Joseph Campau avenue, in the said proposed village of Hamtramck, and this board doth appoint Anson S. Harris, Joseph Grix, John Heppner Jr., and Fred E. Corbett, four discreet persons legally qualified and residing within the said territory as inspectors of election at said first election and to constitute a board of registration for the first election in and for said village of Hamtramck.

By Supervisor Chavey:

Moved the adoption of the resolution, which was adopted by the following vote:

Yeas—Supervisors Atyeo, Barrie, Buckley, Campbell, Chavey, Coots, Crowley, Day, Deimel, DeLisle, Esper, Haarer, Hansjosten, Hillger, Houghton, Jerome, Joy, Keating, Kemp, Koch (Max), Koch (Louis),

Hansjosten, Harris, Hillger, Houghton, Humbert, Johnson, Joy, Kemp, Knauss, Koenig, Lemke, Lynch, McGraw, Mayhew, Megges, Merrill, Miller, Moeller, Nash, Pernot, Prochaska, Rattenbury, Reinhardt, Riopelle, Snow, Starkweather, Steiger, Stiles, Tossy, Walters, Weibel, Weiler, Wildman, and the chairman.—48.

Nays—Supervisors Deimel, McGuire.—2.

STATE OF MICHIGAN,)
County of Wayne,) ss.

I, Wm. H. McGregor, clerk of Wayne county, and clerk of the circuit court for the county of Wayne, do hereby certify, that the above and the foregoing is a true and correct copy of order incorporating village of Glenwood entered in the above entitled cause by said court, as appears of record in my office. That I have compared the same with the original, and it is a true transcript therefrom, and of the whole thereof.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court and county, at Detroit, this 16th day of March, A. D. 1900.

[L. s.]

WM. H. MCGREGOR,
Clerk.

By WALTER J. OLDFIELD,
Deputy Clerk.

WAYNE COUNTY.

In the matter of the incorporation of the village of Hamtramck.
Quinquennial session of the board of supervisors of Wayne county.
Twelfth day, Monday, July 29, 1901.

On roll call a quorum was shown to be present.

By Supervisor Chavey:

Resolved, That an order be, and the same is hereby made and granted to William Dickinson and other petitioners, being legal voters residing within that portion of Hamtramck township, Wayne county, Michigan, hereinafter described, to incorporate and hereby incorporating said territory as a village under the name of the village of Hamtramck, in accordance with "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties," being act No. 3 of the public acts of 1895 of the State of Michigan, and acts amendatory thereto. Said territory is described as follows: Beginning at the intersection of the easterly line of quarter section sixty (60) of the ten thousand (10,000) acre tract, with the northerly boundary line of the city of Detroit; thence westerly along the northern boundary of the city to the easterly line of St. Aubin avenue; thence following said city of Detroit boundary northerly along the said easterly line of St. Aubin avenue, and St. Aubin avenue extended to a point in quarter section thirty-nine (39) ten thousand (10,000) acre tract, said point being two hundred and thirty-three (233) feet northerly of the southerly line of said quarter section thirty-nine (39); thence again

following the city limits of Detroit, westerly on a line parallel with the southerly line of said quarter section thirty-nine (39) and being two hundred and thirty-three (233) feet northerly of the southerly line of said quarter section thirty-nine (39), to a point two hundred and thirty-three (233) feet easterly of the center line of Oakland avenue, so called; thence still following the city limits of Detroit, northerly on a line parallel with the center line of Oakland avenue and Oakland avenue extended and two hundred and thirty-three (233) feet easterly thereof to a point indicated by and intersecting the easterly and westerly center line of quarter section twenty-three (23) of the ten thousand (10,000) acre tract, being also on the southerly boundary of the village of Highland Park; thence along the southerly boundary of Highland Park village, easterly along the easterly and westerly center line of said quarter section twenty-three (23) to the westerly line of the Detroit, Grand Haven & Milwaukee railway company right of way; thence along the easterly boundary of Highland Park village northerly along said westerly line of the Detroit, Grand Haven & Milwaukee railway company right of way to the northerly line of said quarter section twenty-three (23); thence easterly along the northerly line of quarter sections twenty-three (23), twenty-two (22) and twenty-one (21), all in the ten thousand (10,000) acre tract, to the northeast corner of said quarter section twenty-one (21); thence southerly along the easterly line of said quarter section twenty-one (21) of said ten thousand (10,000) acre tract, to the northwest corner of fractional section twenty (20), in town 1 south, range 12 east; thence east along the north line of said fractional section twenty (20) to the northeast corner thereof; thence south along the east line of said fractional section twenty (20), town 1 south, range 12 east, to the southeast corner thereof; thence west along the south line of said section twenty (20) to the east line of the ten thousand (10,000) acre tract; thence southerly along the easterly line of quarter section forty-one (41) and sixty (60) of the ten thousand (10,000) acre tract to the northerly limits of the city of Detroit and place of beginning. Said territory lying and being in the township of Hamtramck, Wayne county, Michigan.

And be it further resolved, That the date for the first election of village officers in and for said village of Hamtramck be and the same is hereby fixed for Monday, the 26th day of August, A. D. 1901. The polls of said election to be open from seven o'clock in the morning to five o'clock in the afternoon. Said election to be held at the old school house on Joseph Campau avenue, in the said proposed village of Hamtramck, and this board doth appoint Anson S. Harris, Joseph Grix, John Heppner Jr., and Fred E. Corbett, four discreet persons legally qualified and residing within the said territory as inspectors of election at said first election and to constitute a board of registration for the first election in and for said village of Hamtramck.

By Supervisor Chavey:

Moved the adoption of the resolution, which was adopted by the following vote:

Yeas—Supervisors Atyeo, Barrie, Buckley, Campbell, Chavey, Coots, Crowley, Day, Deimel, DeLisle, Esper, Haarer, Hansjosten, Hillger, Houghton, Jerome, Joy, Keating, Kemp, Koch (Max), Koch (Louis),

Koenig, Lanning, Lemke, Liphardt, Loranger, Lynch, McGuire, Magee, Marx, Megges, Milliken, Moeller, Mohn, Monaghan, Nash, Neverman, Reinhardt, Riopelle, Root, Smith, Snow, Steiger, Stiles, Tossy, Trombley, Underwood, Vroman, Weber, Weibel, Weiler, and the chairman.

Nays—None.

STATE OF MICHIGAN, }
County of Wayne. } ss.

I, Wm. H. McGregor, clerk of Wayne county, and clerk of the circuit court for the county of Wayne, do hereby certify, that the above and the foregoing is a true and correct copy of an order made by the board of supervisors of Wayne county, Mich., at a session of said board held on Monday, July 29, 1901, as appears of record in my office. That I have compared the same with the original, and it is a true transcript therefrom and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court and county at Detroit,
[L. S.] this 13th day of August, A. D. 1901.

WM. H. MCGREGOR,
Clerk.
CHAS. P. BENOIT, Jr.,
Deputy Clerk.

WAYNE COUNTY.

In the matter of the incorporation of the village of River Rouge.

Annual session 1899 of the board of supervisors of the county of Wayne. Fourteenth day.

Resolution by Supervisor Lynch:

Resolved, That an order be and the same is hereby granted to Oscar D. Chapman and other petitioners, being legal voters residing in that portion of Ecorse township, Wayne county, Michigan, described as, bounded on the north by the River Rouge; on the west by the River Rouge and the westerly line of the Lake Shore & Michigan Southern railway company, running from Detroit to Toledo; on the east by the Detroit river, and on the south by a line commencing where the northerly line of lot eight (8) of private claim number forty-two (42) of Ecorse township, Wayne county, Michigan, intersects the shore line of the Detroit river; thence following the northerly line of private land claim 42, to the rear line thereof; thence in a southerly direction along the westerly line of private claim 42, to the intersection of the north line of lot seven of said private claim 42; running thence westerly in a straight line to a point where the northerly line of Cora avenue intersects with the westerly line of River Road in said township; thence westerly along said northerly line of said Cora avenue extended to the westerly line of said Lake Shore & Michigan Southern railway, said territory being situated in the township of Ecorse, Wayne county, Michigan, and containing more than a square mile of land; to incorporate and incorporating said territory as a village under the name of the village of River

Rouge, in accordance with "An act to provide for the incorporation of villages within the State of Michigan and defining their powers and duties," being act number three (3) of the public acts of 1895 of the State of Michigan;

And be it further resolved, That the date for the election of village officers in and for said village of River Rouge, be and the same is hereby fixed for Monday, the 27th day of November, 1899, polls to be open from seven (7) in the morning to five (5) in the afternoon, said election to be held at Mosher's hall, on Riopelle street, in said village of River Rouge, and this board doth appoint Henry E. Visger, Maynard Palmer, Samuel Cabanaw and Geo. Detrich as inspectors of election at said election, and to constitute the board of registration for the first election for said village.

By Supervisor McGraw:

Moved the resolution be laid on the table until Wednesday, October 25, 1899. Adopted, *viva voce* vote.

Annual session, 1899, of the board of supervisors of the county of Wayne. Fifteenth day.

By Supervisor Lynch:

Moved to take from the table the resolution relative to the incorporation of the village of River Rouge. Adopted by *viva voce* vote.

By Supervisor Lynch:

Move the adoption of the resolution relative to the incorporation of the village of River Rouge, which was unanimously adopted by the following vote:

Yeas—Supervisors Atyeo, Barrie, Beamer, Benton, Blanck, Bleil, Bosworth, Buckley, Coots, Crowley, Davis, Deimel, Dingwall, Fratcher, Greusel, Grunow, Haarer, Hacker, Harris, Higgins, Hollihan, Houghton, Humbert, Johnson, Knauss, Kemp, Lempke, Licht, Lynch, McGraw, McGuire, Mayhew, Masak, Megges, Miller, Merrill, Moeller, Nash, Peoples, Pernot, Prochaska, Riopelle, Rattenbury, Schneider, Seely, Smith, Stiles, Stahl, Starkweather, Walters, Weibel, Weber, Weiler, Youngblood, and the chairman.

Nays—None.

STATE OF MICHIGAN, }
County of Wayne, } ss.

I, Wm. H. McGregor, clerk of Wayne county, and clerk of the circuit court for the county of Wayne, do hereby certify, that the above and the foregoing is a true and correct copy of an order incorporating the village of River Rouge, Wayne county, Michigan, entered in the above entitled cause by said court, as appears of record in my office. That I have compared the same with the original, and it is a true transcript therefrom and of the whole thereof.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court and county, at Detroit, this 3d day of November, A. D. 1899.

[L. s.]

WM. H. MCGREGOR,
Clerk.

By JOHN R. FISHER,
Deputy Clerk.

WEXFORD COUNTY.

In the matter of the application of certain freeholders for the incorporation of certain territory in the township of Springville, as a village under the name of the village of Mesick.

WHEREAS, Application was, on the 19th day of October, 1901, made to the board of supervisors of the county of Wexford, for the incorporation of certain territory in the township of Springville in said county, as a village, under the name of the village of Mesick.

WHEREAS, The consideration of said application was by said board of supervisors, made a special order for Monday, October 21, 1901, at two o'clock P. M.

WHEREAS, After due consideration of said application, and after hearing parties interested in said incorporation, the said board of supervisors is satisfied that all the requirements of act number three of the public acts of 1895 in respect to such application have been complied with, and that such territory sought to be incorporated contains the population required by said act.

Now therefore resolved, That the board of supervisors of Wexford county does hereby determine that it is advisable to order the incorporation of said village of Mesick, and that the east one-half of section eleven and the west one-half of section twelve in the township of Springville, Wexford county, Michigan, being the whole of the territory included in said application, shall be incorporated as the village of Mesick.

It is therefore ordered, By the board of supervisors of the county of Wexford, that the territory described as the east one-half of section eleven (11) and the west one-half of section twelve (12), in the township of Springville, county of Wexford and State of Michigan, shall be an incorporated village, under and by the name of the village of Mesick.

It is further ordered, That the first election in said village of Mesick shall be held on Monday, the 25th day of November, A. D. 1901, at Evitts Hotel in said village of Mesick.

It is further ordered, That J. A. Evitts, E. E. Godfrey, L. J. Tripp and George Cooley shall be and are hereby appointed to act as board of registration for said first election to be held in said village, and who shall also act as inspectors of election at said first election.

STATE OF MICHIGAN,)
County of Wexford,) ss.

I, David F. Garver, county clerk of Wexford county, do hereby certify, that the above and foregoing is a true copy of an order of incorporation of the village of Mesick, made and adopted by the board of supervisors of the county of Wexford, on the twenty-first day of October, A. D. 1901.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said county, this 20th day of November, A. D. 1901.

[L. S.]

DAVID F. GARVER,
County Clerk.

HOUGHTON COUNTY.

In the matter of the petition of the common council of the village of Laurium to alter the corporate limits of said village.

At a meeting of the board of supervisors of the county of Houghton held at the office of the county clerk in the village of Houghton in said county on Tuesday, February 13th, A. D. 1900, the following petition was presented, viz:

Laurium, Mich., February 1st, 1900.

To the Honorable, the Board of Supervisors of the County of Houghton:

Gentlemen—At a meeting of the common council of the village of Laurium held on Tuesday, December 5th, 1899, a petition (a copy of which is attached hereto) was submitted to said council by the property owners of the hereinafter described parcel of land, known as the fourth addition to the village of Calumet (now called Laurium), praying that the necessary steps be taken to have said territory included within the corporate limits of the village of Laurium, for the several reasons set forth in the said petition.

After due consideration of the matter in all its bearings, and believing it to be the best interests of both property owners now within the corporate limits of the village, as well as in said territory, it was determined and ordered, by the following resolution: Be it resolved, That the board of supervisors of Houghton county be petitioned to order and determine that the corporate limits of the village of Laurium be so altered and changed as to include within its limits the following described parcel of land situated in the township of Calumet, in the county of Houghton and State of Michigan, and more specifically described and set forth as follows:

Certain land situated in section twenty-four (24) of township fifty-six (56) north, of range thirty-three (33) west, situated in the township of Calumet, county of Houghton, State of Michigan; beginning at a point on north section line of section twenty-four (24) nine hundred and twenty-two and two-tenths feet west of north quarter post; thence south twenty-seven degrees eleven minutes, west seven hundred and fifty-six and three-tenths feet; thence north sixty-two degrees forty-nine minutes, west three hundred fifty-five feet; thence north twenty-seven degrees eleven minutes, east five hundred and sixty-four feet; thence north eighty-nine degrees nine minutes, east four hundred and eight feet to the place of beginning.

We do, therefor, respectfully petition your honorable body to order the corporate limits of the said village of Laurium, Houghton county, Michigan, so changed and altered as to include within the same the territory above described.

[L. S.]

HENRY FLIEGE,
President.
JOSEPH R. MURPHY,
Clerk.

STATE OF MICHIGAN,)
County of Houghton,) ss.

I do hereby certify that I have posted three (3) notices of the intention of the council of the village of Laurium to petition the board of supervisors of Houghton county to the limits of the said village in three (3) conspicuous places in the territory described in said petition, and further, three (3) copies of such notices within the corporate limits of said village, viz: One on corner of First street and Conglomerate street, one in front of town hall, and one in front of the postoffice, as required by law, there being no newspaper published within the corporate limits of the village of Laurium.

JOSEPH R. MURPHY.

Subscribed and sworn to this 12th day of February, A. D. 1900.

AVERY T. HANSON.

Notary Public, Houghton county, Michigan.

To the Honorable the Common Council of the Village of Laurium:

Gentlemen—The undersigned residents of and lot owners in what is known as the fourth addition to the village of Calumet, in the township of Calumet, county of Houghton, in the State of Michigan, request that the land hereinafter described, and which adjoins said village of Laurium, may be included within the boundaries of said village, and that the bounds of said village be altered accordingly, the reasons assigned for the said change in the bounds of said village so as to include said land are as follows:

1. Said land adjoins said village, and is almost entirely occupied by dwelling houses.

2. The resident owners of lots of land in said fourth addition by reason of their proximity to said village have many interests that are in common with said village.

3. By reason of the proximity of the lands included in said fourth addition and in said village it is to the mutual advantage of the citizens residing therein for the purpose of providing for fire protection and sewerage and for obtaining water for drinking and for purposes that they be under the same municipal government.

Your petitioners therefor respectfully ask that the common council of said village pass a resolution taking in such territory and that said common council petition the board of supervisors of the county of Houghton, the county in which said lands is situated, to alter the bounds of said village as herein asked for, and that said common council describe in said petition the lands herein asked to be included by metes and bounds.

The land described to be a part of said village and included within its bounds is described as: all that tract of land embraced in a plat of land known as the fourth addition to the village of Calumet, according to the plat thereof on file in the office of the register of deeds for said county of Houghton.

Dated at Calumet township in said county of Houghton this 25th day of November, 1899.

Signed. Paul P. Roehm, A. I. Lawbaugh, J. Edw. Shepard, Mrs. N. H. Spaulding, James Richie, William Hill, William H. Thielman, Harry T. Hosking, Mrs. E. Lamore, Godfrey A. Arnold, W. J. Holman, Julius E. Fliege, Mrs. Ann Goldsworthy.

STATE OF MICHIGAN, }
County of Houghton, } ss.

I, Joseph R. Murphy, clerk of the village of Laurium, Houghton county, Michigan, do hereby certify that the above is a true copy of the original petition submitted to the council of the said village of Laurium by the above mentioned parties according to the petition on file in this office.

JOSEPH R. MURPHY,
Clerk of the Village of Laurium.

Laurium, Mich., February 1st, 1900.

NOTICE.

Notice is hereby given that a petition will be submitted to the honorable the board of supervisors for Houghton county, Michigan, by the common council of the village of Laurium in said county and State petitioning said board of supervisors to so change the corporate limits of said village of Laurium as to include within said limits the following described parcel of land, (commonly known as the fourth addition to the village of Caulmet; now Laurium) and more specifically described and bounded as follows:

Certain land situated in section twenty-four (24) of township fifty-six (56) north of range thirty-three (33) west situated in the township of Calumet, county of Houghton, State of Michigan: beginning at a point on north section line of section twenty-four (24) nine hundred and twenty-two and two-tenths feet west of north quarter post; thence south twenty-seven degrees eleven minutes, west seven hundred and fifty-six and three-tenths feet; thence north sixty-two degrees forty-nine minutes west three hundred and fifty-five feet; thence north twenty-seven degrees eleven minutes, east five hundred and sixty-four feet; thence north eighty-nine degrees nine minutes, east four hundred eight feet to the place of beginning.

Said petition will be submitted to the board of supervisors at its meeting to be held in the clerk's office of Houghton county in the village of Houghton, on Tuesday, February 13th, 1900, at 10 o'clock a. m., when all persons interested shall be given an opportunity to be heard in the premises.

JOSEPH R. MURPHY,
Clerk of the Village of Laurium.

Laurium, Mich., January 22, 1900.

A true copy of notice of intention to file petition posted as per affidavit.

JOSEPH R. MURPHY,
Clerk.

On motion,

Resolved, That the foregoing petition of the village of Laurium be granted, and that the lands described in the foregoing petition be and the same hereby are incorporated as a part of said village of Laurium.

Which resolution was adopted by the following vote, viz:

Yeas—Duncan, Edwards, Harrington, Smith, Parnall, Harris, Fox and Scott.

Nays—None.

STATE OF MICHIGAN, }
County of Houghton, } ss.

I, Louis H. Richardson, clerk of the said county of Houghton and clerk of the board of supervisors of said county of Houghton, do hereby certify that the above and foregoing is a true copy of the petition of the village of Laurium presented at the aforesaid meeting of said board of supervisors and of the determining of said board of supervisors in regard to the matters contained in said petition; that I have carefully compared the same with the original, and it is a true transcript therefrom, and of the whole thereof.

[L. S.] IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed the seal of the said circuit court of said county
this third day of March, A. D. 1900.

LOUIS H. RICHARDSON,
County Clerk.

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